

GENERAL CONVENTION OF DELEGATES
REPRESENTING COUNTIES IN VIRGINIA,
MARYLAND, OHIO, PENNSYLVANIA AND
THE DISTRICT OF COLUMBIA, WASH-
INGTON, D. C., 1823.

Proceedings.

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PROCEEDINGS

AT A

GENERAL CONVENTION OF DELEGATES,

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REPRESENTING COUNTIES IN

VIRGINIA, MARYLAND, OHIO, PENNSYLVANIA,

AND

THE DISTRICT OF COLUMBIA,

HELD IN

The City of Washington,

On Thursday, Friday, and Saturday, the 6th, 7th, and 8th, of Nov. 1823,

ON THE SUBJECT OF THE

CHESAPEAKE & OHIO CANAL.

TO WHICH ARE ADDED,

*An extract from the Report of the Commissioners appointed by the States
of Virginia and Maryland to Survey the Potomac Canal,*

AND

An Act of Virginia incorporating the Potomac Canal Company.

WASHINGTON:

PRINTED AT THE OFFICE OF THE WASHINGTON REPUBLICAN.

1823.

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Cap. 1

PROCEEDINGS

OF THE

CONVENTION OF DELEGATES

ON THE

CHESAPEAKE & OHIO CANAL.



THURSDAY, NOVEMBER 6, 1823.

The Great Canal Meeting commenced its proceedings in the chamber of the Supreme Court of the United States.

About seventy or eighty members appeared to be present. About half past twelve, Gen. *Mercer* rose and spoke to the following effect:

Gentlemen: I rise merely to enable us to transact the preliminary business essentially necessary for our organization as a meeting. I forbear at present to say any thing respecting the important object for which we are assembled, or to congratulate the meeting on its highly respectable and numerous appearance. I rise to make the first motion—that Gen. *Walter Jones* be appointed Secretary of this meeting; and, in the event of this being carried, to follow it with another—that this meeting do adjourn until to-morrow. I consider it would not be expedient to take any measures while there are many members yet proceeding on their way to this place; which involves reasons that will be obvious to all present.

The motion was then made and seconded, that Gen. W. Jones be appointed Secretary; which was carried, unanimously.

Gen. *Mercer* then moved, that the names of members, as they appeared in the provisional list in the National Intelligencer of this morning, be read over; that the members answer to their names; and that such as are omitted in that list, present themselves and report to the Chair, without the routine of giving in their attested documents. For this purpose, it was moved that Mr. Jones take the Chair.

This being done, Mr. *Jones* said:—

I return my sincere thanks for the honor which this meeting has done me, but beg leave to state, *in limine*, that I accept this situation merely to give effect to the organization of the meeting, and hope that when all the members arrive, they will obtain a Chairman who will meet the views of the whole concerned.

Mr. *Jones* then remarked, that the area of the chamber would entirely be appropriated for the members of the Delegation, whilst the space be-

hind would be reserved for strangers. Mr. Jones then proceeded to call over the names, when the following Delegates answered to their names, respectively:

FROM VIRGINIA.

FAIRFAX Co.—Wm. H. Fitzlugh, John Moore, Wm. Moss,

LOUDON Co.—Charles Fenton Mercer, William Ellzey, Wm. M. McCarty, Wm. Chilton, R. H. Henderson.

PRINCE WILLIAM Co.—William Hebb, John Hooe, jr.

FREDERICK Co.—Alfred H. Powell, Wm. B. Page, James M. Mason, Wm. M. Barton, Nathaniel Burwell.

SHENANDOAH Co.—Wm. Stenbergen, Benjamin Blackford.

JEFFERSON Co.—Hiram L. Opie, Braxton Davenport, Henry S. Turner.

BERKLEY Co.—Edward Colston, Philip E. Pendleton, Joel Ward, William Short.

HARDY Co.—John J. Vanmetre,

SHEPHERDSTOWN.—Wm. Butler, Richard E. Byrd.

HARRISON Co.—Daniel Kincheloe,

FROM PENNSYLVANIA.

UNIONTOWN.—James Shriver.

FROM MARYLAND.

CITY OF ANNAPOLIS.—Jeremiah Hughes, Thomas H. Carroll.

WASHINGTON Co.—Casper W. Wever, Otho H. Williams, Thomas Kennedy, Frisby Tilghman.

MONTGOMERY Co.—Isaac Briggs, George Peter, Geo. C. Washington, Johnson Hellen, Elisha W. Williams.

FREDERICKTOWN.—John MacPherson.

PRINCE GEORGES' Co.—John C. Herbert, Abraham Clark, Thomas Law.

CHARLES Co.—George Mason, Daniel Jenifer, Wilfred Manning.

ST. MARY'S Co.—James Forrest, G. N. Causton, Athanasius Fenwick.

DISTRICT OF COLUMBIA.

WASHINGTON CITY.—E. B. Caldwell, John Davidson, Wm. W. Seaton, Thomas Munro, Walter Jones, R. C. Weightman.

WASHINGTON COUNTY.—Nathan Luffborough, Samuel H. Smith, Thomas Corcoran.

GEORGETOWN.—Col. John Cox, Gen. John Mason, Gen. Walter Smith, Hon. John M'Lean, John Laird.

ALEXANDRIA.—Thos. Swan, Jonathan Swift, Humphrey Peake, Phineas Janney, Robert I. Taylor, Chas. I. Catlett, Jacob Morgan, Amos Alexander.

BY THE LANDHOLDERS OF THE DIST. COL.—G. W. P. Custis.

After the list had been called over, the following Delegates appeared:

Ohio County, Va.—David Shannon, —— Shriner,

Fauquier County, Va.—Eppa Hunter, John R. Wallace, Henry Fitzhugh, John Marshall, jr.

Allegany County, Md.—John M'Maun.

When the list of names was *finished and corrected*, Mr. Mercer rose, and moved that seats should be reserved for honorary members, for gentlemen from those states whose distance had prevented them from being invited to join the delegation. There is no doubt but Kentucky would be glad to assist in this most important measure, in which her interests were so much

involved. There is a gentleman present from that state, with whose co-operation we shall all be gratified—I mean Col. Trimble. By honorary members, I mean such as I have described, who, while they cannot move questions and vote, may assist us with their advice and support. I therefore move, that Col. Trimble be admitted as an honorary member.

The question was put from the Chair, and carried, unanimously.

Col. Trimble.—My presence in this city is entirely accidental, but no accident could have gratified me more than this, to meet so many gentlemen employed in an undertaking so grand. My State will take deep interest in this subject, and though I cannot positively name the time when she will act, yet I can say that she will go heart in hand in exerting herself to effect this great undertaking. I am persuaded that this will be an era in the subject of great national improvements; and this meeting has it in its power, by its proceedings, to fix this era.

Gen. Mason.—I beg leave to mention the name of another gentleman, Dr. Wm. Howard, of Baltimore, as an honorary member. He has been employed, by the state of Maryland, in the survey of her proposed canal. He is a gentleman of high standing in society, and of great and acknowledged talent.

The motion was then put from the chair, that Dr. Wm. Howard be admitted as an honorary member, which was carried, unanimously.

After some discussion as to the hour of meeting, half past ten o'clock was agreed on, until which hour, to-morrow, the meeting adjourned.

FRIDAY, NOVEMBER 7.

Amongst the audience, within the railing, we observed Mr. CALHOUN, Major ROBERDEAU, and several other gentlemen.

The Secretary commenced the business of the day, and proceeded to call over the names of the members; when the following Delegates, in addition to those in attendance yesterday, appeared and took their seats :

From Morgan county, Va.—Messrs. Sherrard and Macky.

From Shenandoah county, Va.—Messrs. Carson and Overall.

From Fauquier county, Va.—Mr. Ward.

From Preston county, Va.—Mr. George Hagan.

From Prince George's county, Md.—Messrs. Kent, Duvall and Semmes.

From Montgomery county, Md.—Messrs. Wootton, Forrest, Kilgour, A. Lee, and Anderson.

From Charles county, Md.—Mr. Manning.

From Fairfax county, Va.—General Hunter attended yesterday as well as to-day.

Mr. Mercer.—As the present Meeting is as full as can be expected, it is necessary to proceed to its organization. I, therefore, move, that *Dr. Kent* do take the chair: He is known to most of us; and there can be but few present, who have not heard of him. He is accustomed to the proceedings of Congress, and will, doubtless, co-operate with us; not only in the immediate object, but in the requisite forms of the Meeting. Coming from an important section of Maryland, his interest, as well as his talents, will be embarked in our behalf.

Dr. Kent, of Prince Georges county, Md. was then unanimously appointed Chairman.

Mr. Mercer.—The Convention being now organized, it becomes the duty of some member to direct the attention of the Meeting to the important object for which it has assembled, and I most earnestly wish that this duty had devolved on some other member, as from sickness, under which I have labored, and other causes, I do not feel myself competent to do the subject that justice which I otherwise might attempt. I therefore request of this meeting that indulgence which these circumstances will, I trust, induce them to grant.

The disinterested zeal which has induced so great a portion of the gentlemen of this District and the neighboring states to convene here must show the greatness of the subject, combined with their deep consideration of its bearings. It would be arrogance in me, this day to expatiate on the general principle involved in the object which we have in view. It has on its side the sentiments and experience of half a century. It boasts of a name for its basis that has been illustrious over the earth—that commands the regard and attention of every freeman—that is a galaxy, around which shines all that is splendid. This measure bears the name, and is stamped with the approbation of him whom we all venerate. But I shall leave the general subject of canal measures, and proceed to details which are of the utmost importance, and essentially requisite to a complete view of the subject. It is better that I should present to this Assembly the whole plan, and then comment on the parts which may require some more minute explanation. These resolutions, which I am to present, were drawn up under every disadvantage of sickness, and other disagreeable circumstances. With these preliminary remarks, I proceed to read the resolutions:

Whereas, a connection of the Atlantic and Western waters by a canal leading from the Seat of the General Government to the river Ohio, regarded as a local object, is one of the highest importance to the States immediately interested therein, and, considered in a national view, is of inestimable consequence to the future union, security and happiness, of the United States:

Resolved, That it is expedient to substitute for the present defective navigation of the Potomac River above tide water a navigable canal by Cumberland to the Coal Banks at the eastern base of Alleghany, and to extend such canal as soon thereafter as practicable to the highest constant steam boat navigation of the Monongahela or Ohio River.

That the most eligible mode of attaining this object will be by the incorporation of a joint stock company, empowered to cut the said canal through the territories of the United States, in the District of Columbia, and of the States of Virginia, Maryland and Pennsylvania; and, therefore, that committees be appointed, each consisting of — delegates, to prepare and present, in behalf of this assembly, suitable memorials to the Congress of the United States, and to the Legislatures of the several States beforenamed, requesting their concurrence in the incorporation of such a company, and their co-operation, if necessary, in the subscription of funds for the completion of the said canal.

And whereas, by an act of the General Assembly of Virginia, which passed the 22d February, 1823, entitled "An act incorporating the Potomac Canal Company," the assent of that State, so far as the limits of her territory renders it necessary, is already given to this *object*—and for its enlargement to the extent required by the preceding resolution, the said act appears to furnish, with proper amendments, a sufficient basis: Be it therefore resolved, that it will be expedient to accept the same as a charter for the proposed company, with the following modifications, viz: That, in reference to its enlarged purpose, the name be changed to the "Union Canal."

That provision be made for the assent of the Government of the United

States, and of the State of Pennsylvania, to the said act, and that the act be made to correspond in its details with such provision:

That the Union Canal shall be divided into two sections, Eastern and Western; the former of which shall correspond in description with that of the Potomac Canal by the preamble of the said act; and the latter shall begin at the western extremity of the former, and terminate at the head of the steam boat navigation of the Monongahela or Ohio River:

That, while the act shall allow a reasonable time for the commencement and the completion of both sections of the canal, no other forfeiture shall be incurred, after the eastern section is finished, for a failure to begin or complete the western section, within the term prescribed, except of the right to complete such section, and of all interest therein:

That, while the consent of Pennsylvania is provided for, in the amended act, it shall not be indispensably requisite to the validity of the charter, so far as respects the authority granted by it, to extend the Union Canal to the Pennsylvania line:

That it will be both just and expedient, if not absolutely necessary, to limit the interest of the stockholders of the Potomac Company, in the stock of the Union Canal, in the mode provided by the unanimous resolution of the company — of the — day of last —, a copy of which is here annexed:

That the Union Canal shall not, in width, be less at the surface than forty feet, at its bottom, than 28, nor its depth be short of four feet:

That, in addition to the provision contained in the first section of the act aforesaid, there be grounded on the event of its failure to furnish adequate funds for the completion of the Eastern Section of the Canal, to be obtained through separate acts of the respective governments and corporations, states of Maryland and Virginia, the government of the United States, and the three cities of the District of Columbia, a subscription to the amount, if necessary, of 2,750,000 dollars, in the following proportions, 2-11th by the state of Maryland, 3-11th by the state of Virginia, 4-11th by the United States, and 2-11th by the District cities, to be divided between them, according to an equitable ratio, to be fixed by themselves:

That the government of the United States be earnestly solicited to obtain the whole of this sum on loan, receivable in four annual instalments, upon the issue of certificates of stock, bearing an interest not exceeding five per cent., and irredeemable for thirty years, and to guarantee the repayment thereof on a specific pledge of the public lots in the City of Washington, of the United States Stock in the Canal, and the public faith:

That the first instalment of the loan be made payable on the 1st of March, 1825, and the last on the 1st of March, 1829:

That the interest of each state and corporation, upon its proportion of the said loan, to be paid into the Treasury of the United States, according to the terms of the loan, and the principal sum at the expiration of thirty years, the period to be fixed for its redemption:

That, in the event of a refusal by the government of the United States to negotiate the said loan, each state and corporation shall provide the amount of its respective subscriptions, in such manner as may seem to it best:

That the maximum profit of the said company shall not exceed 15 per cent. after the entire canal shall have been completed; but if, at any time after the completion of the Eastern Section thereof, and before sufficient funds shall have been otherwise provided for the completion of the western, the tolls of the Canal shall yield a nett income to the stockholders, exceeding 10 per cent. per annum, such excess shall be applied towards the extension of the canal, until the Western Section shall have been completed: and, to give more speedy effect to this provision, the President and Directors of the Union Canal Company shall be authorized to borrow, or may negotiate, through a suitable agency, in behalf of the Company, on the credit of such excess, or on the tolls or a fixed part thereof,

levied upon certain commodities passing through the said Canal, being the probable amount of such annual excess, such sums of money as may be deemed expedient, by a general meeting of the stockholders, to be applied to the extension of the Western Section of the Canal, from time to time, till the said section shall have been completed. And, if, after the completion of the entire canal, the nett dividends shall exceed 15 per cent. per annum, such excess shall be applied first, to strengthening the works of the canal, next, to the multiplication of ascending locks from the river Potomac to the level of the canal, wherever the convenience of the adjacent country may require it; next, to lining the canal throughout with such walls of stone as shall accommodate its banks to the use of steam boats, and should the nett dividends still exceed 15 per cent. then the excess shall be applied to the reduction, according to some equitable scale, of the tolls levied upon the said canal.

And be it further resolved, That a Committee of — Delegates be appointed to prepare, and cause to be presented, in behalf of this Assembly, a suitable memorial to the State of Ohio, soliciting the co-operation of that State in the completion of the Union Canal, and its ultimate connexion with the navigation of Lake Erie; and that, for the latter purpose, the memorial shall respectfully suggest the expediency of causing the country, between the northernmost bend of the river Ohio, and the southern shore of Lake Erie, together with the waters of Great Beaver and Cayuga Creeks, and all other intervening waters near the said route, to be carefully surveyed, with the view of ascertaining the practicability and probable cost of a Canal, which, fed by the latter, shall connect the former:

That a letter be addressed by the Chairman, of the Assembly, to the Mayors of Alexandria, Georgetown, and Washington, apprising, through them, their respective Corporations, of the proceedings of this Assembly, and inviting their zealous co-operation in giving to them effect:

That another letter be addressed by the Chairman, in behalf of this Assembly, to the President and directors of the Potomac Company, requesting their concurrence in the measures recommended by the preceding resolution:

That the authority to levy tolls be varied so far as to authorize a toll, not exceeding three cents per bushel, per hundred miles, upon Coal and Salt, or five dollars per ton, on Iron, and the manufacture thereof, or three dollars per ton per hundred miles, on all Merchandise, or ten cents on the barrel of flour.

Resolved, That the committee before named be, and they are hereby, authorized and requested to use their best exertions to obtain the most favourable reception for their memorials, to ascertain and communicate to the Central Corresponding Committee, hereinafter named, such objections, if any, as are opposed to the prayers of their respective memorials, and to devise, if possible, in conjunction with the common friends of the Union and prosperity of the United States, the means of obviating all the impediments to their success.

Resolved, That, for the last mentioned purpose, the Delegates of the respective Counties and Corporations, represented in this Assembly, be regarded as corresponding Committees, and that — persons be appointed a Central Committee of correspondence, to confer with the Committees before named, to hold stated meetings in the City of Washington, for the purpose of consulting upon, and adopting in behalf of, the Union Canal, such measures as may seem best calculated to assure its certain and speedy accomplishment.

Mr. Mercer then continued, in remark on the resolutions: He observed, that the plan proposed, while best calculated to embrace one general end and design, was on a graduated scale. A central committee, in the event of failure of any one part, is empowered to supply the defect, and produce a remedy. After embodying all the zeal of this Assembly, and the supporters of this project, it is requisite to give that zeal some practicable route, to give it effect. Our object, at present, is to devise some such plan without going into

all the specific and minute details, though whilst these are, as much as possible, kept in view, we shall endeavor to exhibit the general principles involved in the proposed undertaking. To the report of the state of Virginia only two objections appear to me to present themselves. One is, where it is proposed to throw in the water from a precipitous declivity into the Canal. The difficulties caused by this measure, in consequence of the sand and gravel accumulated by freshets, would be great; and, in fact, there ought to be no obstructions unless from the canal itself.

The other objection which I have to that report, is, limiting the width of the canal to thirty feet. I have given great pains to the examination of this particular part of the subject, and am persuaded that the Commissioners were induced to recommend that width, by looking at that country from which we have received most of our important improvements. In England, large and extensive turnpikes were in existence long before the commencement of canals, and after the extension of canals, these turnpikes have still been their rivals in the transit of goods, and particularly of passengers. The canals of England are consequently not adapted for passage boats. But the canals of all other countries are constructed on the principle of conveying passengers, and in our case, nothing can be more desirable than a speedy communication between the valley of the Mississippi and Atlantic. In China, the canals are not under fifty feet in breadth. In Holland they are not under sixty feet; and the Great Canal of Languedoc, including the towing-paths, is one hundred and twenty-four feet. Virginia, following the example of England, has adopted the lesser ratio in her report; but when we try this by the test of experience, we find, that canals so constricted, have been compelled to have their banks thrown down, and their width increased to forty feet. Indeed, some of the best friends, and warmest supporters of the New York Canal, suppose that it is deficient in breadth. For myself, I should prefer forty feet of breadth, without attending to towing-paths, which are easily susceptible of regulation.

With respect to all other parts of the Virginia report, I should feel most heartily disposed to agree to them. It assuredly was an act of courtesy in Virginia, to pass this bill on the 22d of February, the day that gave us the father of our liberties, the promoter of this grand design.

Instead of the restricted name of Potomac Canal, or the more sonorous one of Grand Union Canal, perhaps the more modest one of Union Canal, would be more congenial to the intended measure, as well as to the simplicity of our habits. It has been proposed, that all the states interested should be requested to give pecuniary aid. But, I presume, under all circumstances, that it will be better to ask for a charter first, solely by itself, instead of asking aid along with it. I make this remark more particularly, that the feeling which has gone abroad in Maryland for the last five or six months, may be removed. It is the opinion of many in some sections of Maryland, that a lateral canal should be given to Baltimore, which is so highly important for the West as a market. No person can be more sensible of the value of this part of the country than I am, and the Virginia bill provides, that the neighbouring states may connect their waters with the canal, provided this should not be detrimental to the main concern. But this proposed cross cut, or lateral junction, is impossible, in consequence of the volume of water requisite for the feeder.

The bill of Virginia leaves the tariff of toll to the Company, and we may

average that it will not exceed the assumed ratio on which we have calculated. But it is requisite that our friends in the West be especially apprized that they are not excluded from the interest as well as organization of the present project. This measure is not for Virginia or Maryland—the interest of every section of America is involved.

The great interests of our national confederacy are involved—the durability of the seat of government—the consolidation of the union of the different states are implicated in this measure. It would be a narrow and contracted view, to suppose that we only look to the immediate advantage of one or two states. Far be it from us to entertain such illiberal considerations. Though we could not act for Kentucky and Ohio, yet we have made ample provision for their simultaneous operation along with us.

In the immediate details of the procedure of this canal, I would observe, that it would be better to carry it to the mouth of Savage Creek, than to stop at Cumberland. The price of coal by land carriage is $7\frac{1}{2}$ cents per bushel, and by ascending to Savage Creek by water, the price would only be 2 cents. This is an essential feature in the plan, which ought not on any account to be altered. After a great deal of trouble, I have examined the rate at which fuel is transported to the great cities of the Atlantic, and may be transported to the Chesapeake. A gentleman, a manufacturer from Pittsburgh, told me that he sold coals at Louisville, for 10 cents, after transportation; and there was included the expense of breaking up the boat, roughly joined together, and the return of the boatmen up the river. I am persuaded that coal can be shipped and delivered in the Chesapeake at 6 cents; and though the project of Perkins promised much, whatever the results may be in practice, yet had they succeeded, they would not have produced a greater revolution than this will effect. The coal of Lehigh will not reach Philadelphia so cheap, nor that of Susquehanna the City of Baltimore.

When the canal has reached Allegany, and produces a profit of ten per cent, I propose, that the Commissioners shall be empowered to extend it still further to the west. When we shall be enabled to extend our views to the range before us, coal, under these circumstances, will be obtained as cheap on a transit of 210 miles, as at the distance from Pittsburgh to Louisville. There is no possibility of saying how far our advantages may increase. Our per centage, from fifteen, may rise to one hundred. The principal canals in the old countries, have realized sums which the most sanguine could not have anticipated. Remove, in this case, the objection that the Western interests are not attended to, and one half the difficulty is overcome. I hope, yet, to meet our brethren on the summit of the Allegany, to descend along with them, and penetrate the regions of the Western valleys.

Our procedure is also in sympathy and congeniality with those adventurers who embarked in the former canal. I have lamented their losses: I have regretted the sad calamities which have overtaken many deserving and patriotic individuals, who embarked in this enterprize. We owe it to them—we owe it to ourselves—we owe to it to our fame in Europe—we owe it to the man who first projected this enterprize—the man who was “first in peace, first in war, and first in the hearts of his countrymen,” that something should be done in behalf of these individuals.

But, in this case, strict practical facts must guide us, and not the influence

of feelings and the sway of emotions, however kind. We must look to the hard calculations of dollars and cents. The rule by which we are to be guided is, have you fulfilled your contract? They assuredly have not done so; and how then are we to proceed with them? Are we prepared to dissolve them with a *quo warranto*? This we cannot do, for Maryland is contented with their procedure. But, in fact, the resolution of the company surrendering their rights, renders all such steps nugatory. It was agreed that the company should have no claims until ten per cent. of profit should be realized by the stockholders; when this shall have taken place, then the shares of the former company will come in for a liquidation of their claims from the surplus.

There is a class of gentlemen associated with the old Potomac Company, who are placed on a better footing than the partners of the company. Their creditors are put on a better footing than themselves, and are enabled to proceed, in the event of a settlement, to recover their debts. Of these creditors, all, unless two or three, are resident within our neighborhood. The means of arranging with them is developed from the plan itself, and the thirty or forty thousand dollars which may be owing these strangers, can be easily bought up.

Having provided for the old Potomac Company, we obtain thereby the surrender of all that work which they accomplished; and, with that, their locks, their power of water, which, I am persuaded, are of themselves equal in value to the compensation proposed to be given to the company. Our Canal cannot be used for manufactures; we cannot so employ it; the currents requisite for manufacturing operations, would tend to derange all the system. In fact, the water rights of the Potomac Company are equal to their surrender of their privileges.

Mr. *Mercer* then moved that the resolutions be referred to a select committee.

Mr. *Colston*.—There are some parts of the resolutions which I am not prepared to adopt. I cannot, in my present state of information, go with the mover, when he proposes to increase the width of the canal from thirty feet, as in the Virginia resolution, to forty feet.

Chairman.—This is not exactly in order, as it has not been agreed by the meeting whether the resolutions shall be committed to a select committee.

After some explanatory remarks by some of the members,

Mr. *Herbert* rose and remarked: I beg leave to state to this meeting that this scheme has been adjudged impracticable, and that such an impression has gone to a considerable extent amongst a certain portion of the public. I, therefore, suggest, that a preamble ought to precede these resolutions, stating all the facts of a practical nature, within the knowledge of members of this convention, and exhibiting that the great object in view is not to promote the interests of any one particular section, but to consolidate the great interests of the east and west. There are many here who have it in their power to communicate valuable information, and thus pave the way for the reception of this project in the public mind. I would, therefore, have all the facts embodied in the report preceding the resolutions, that the public mind should be fully possessed with them, and convinced, not only of the practicability, but utility of the scheme. This would give a character, a tone to our proceedings; it would satisfy the nation at large: it would show that we are not attempting a local plan for this District; but for Virginia and Mary-

land—for the east and the west—for the Union at large. It would show, that we wish to establish the bands that tie our country, and add the brightest and fairest link which yet surrounds her. This is a measure which awakens all the best feelings of the patriot, and must enlist every sentiment of our countrymen. There are many in the state of Maryland who feel a strong bias against the proposed measure, imagining that it will be against their interest. They are looking for objections, and these objections are likely to produce their effect, should this scheme be affirmed to be impracticable, or that there are not available funds for its completion. I, therefore, move that the committee draw up a report embodying all the facts within their knowledge; showing the practicability of the proposed scheme, and the resources available for its execution. Mr. Herbert then apologized for the imperfect manner in which, as he stated, he had expressed his sentiments.

Mr. Mercer.—The gentleman may be assured that he is perfectly understood. None but must have appreciated the force of his observations. But, what he suggests must be the work of time, and as many gentlemen intend leaving this place to-morrow, or the day after to-morrow, there cannot be time to meet the wishes of the gentleman, in preparing such a preamble as is due to the respectability of this meeting. Such a document could not be properly arranged, considering the other matter before the committee, until next week, and the duty will, in fact, devolve on the four committees, who are to present memorials to Congress and the different legislatures in co-operation with the central committee. But, on the subject of verbal illustration, there is a gentleman present who has been at great pains on this subject, and whose observations and surveys, on the summit level between the Eastern and Western divisions of the proposed canal, will throw a scientific light on this subject, which must be gratifying to all.

Mr. Herbert.—I still wish my proposal taken up, so that the scheme may be rendered acceptable not only to Congress and the states interested, but to the people at large, inducing all classes to come forward with general contributions. Let us insist on the importance of this measure, and demonstrate that it is not to a few states that we appeal to, but to the nation at large.

I am persuaded, could we show this scheme to be practicable and profitable, large contributions would be obtained from the other side of the Atlantic. Exhibit the magnificence of the scheme, and let every one be excited to act in its behalf, be his motive what it may, whether patriotic or interested. I really believe such a detail as I propose, would not occupy above one page. I have been told that money in this country, money in London, may be obtained for very low interest. The capitalists of Europe would be glad to invest their money in this undertaking, provided they were convinced that it would be profitable.

I am, I confess, afraid of the requisite aid being forthcoming from Virginia or Maryland. But could we obtain the charter, we shall appeal to the public feeling and public spirit of the country—and, if we are to do so, is it not reasonable that all the best emotions of our fellow citizens should be enlisted. I therefore hope that every gentleman present will communicate all the facts within his knowledge, pertaining to this subject, either verbally or otherwise.

After some remarks as to the best mode of saving time,

General *Mason* rose and remarked: I move that the resolutions be printed for the use of the members. The farther the gentleman from Prince

Georges progressed in his remarks, the more I was convinced of their utility and correctness. I am decidedly of opinion, that the committee ought to precede their resolutions by a succinct view, throwing light on the grand subject, and exhibiting its prominent details. I am sure several gentlemen have it in their power to elucidate this question. We have not heard enough of the proposed route—neither has the public been made sufficiently acquainted with it. I particularly allude to the country between Savage Creek and Monongahela. I may say, we have a peculiar invitation to this district. We have there unbounded resources and advantages before us.—There is, perhaps, no spot which affords such advantages from the exuberance of nature, and the great resources of water communication. With so great facilities, I have no doubt of the result.

The route to Cumberland is sufficiently developed by the survey. There is a gentleman present, ready to give all the requisite information, as I understand, respecting the summit level at the head waters of the Potomac.

Albert Gallatin, with all his skill, and continued inquiries, gave it as his opinion, that there was not water enough, at this position. But further information has dissipated this error, originating in the then imperfect calculations; and shown that Albert Gallatin, with all his zeal, united with extended inquiry, was under mistake.

Another extraordinary fact deserves to be mentioned, that the inclination of the bed of the Potomac at tide water, was calculated at seven hundred and twenty-four feet; but when accurately surveyed, it was found to be fully two hundred feet less.

There is another view in which this subject is to be illustrated. When we reach the waters of the Ohio, we discover that the immediate branches of that river are interlocking with the lakes. From Pittsburg, we have the Beaver; and, from the same stream, the Muskingum, the Sciota, the Sandusky, the Great Wabash, and the Miami, all pouring their streams towards the lakes.

The fact is curious, but true, that if a line be taken from Cape Henry on the Chesapeake, a direct line to the west will strike Cumberland; proceeding from that, it will reach the Beaver river—and from that, the Grand River. This has only to be tried on Melish's or any other map. I mention these combined circumstances, for the sake of, in some degree, illustrating this subject.

Mr. Colston.—I am misunderstood, if it be supposed I am opposed to information. My hope, on coming here, was to obtain that information, and however we may differ as to the means, I am persuaded we all have the same end in view. I am therefore disposed to say, that it is solely for the purpose of information that I rise on this occasion.

Mr. Caldwell.—My objection to the present proposition is, that it will seem like forcing the committee to the consideration of certain measures, whether their time will permit them or not. I am disposed to rely at present on the resolutions of Mr. Mercer. The public looks for something of importance from this committee. I therefore move that it be discretionary with the Committee to assume the discussion of the proposal which has been made.

Mr. Mercer.—There is something peculiarly improper, at this period, in detailing all our expected advantages, and all our views. It will rouse the jealousies of neighbouring states; particularly in North Carolina, South

Carolina, and New York. It will awaken feelings which ought to be allowed to lie dormant. It will prevent the support of many in Congress, who otherwise would assist us. At all events, the memorial to Congress will sufficiently illustrate our views and plans. To prevent the jealousies to which I have referred, I scrupulously avoided all allusions to the peculiar and especial mode of conduct, and anticipated result. But I expect of the gentleman from Pennsylvania such illustrations and calculations as will materially interest this meeting.

Mr. Shriver.—As I have been referred to by several of the gentlemen present, something is most probably expected from me. Altogether unaccustomed to speaking in public before assemblies of any kind, I beg I may be excused from addressing the present numerous and highly respectable meeting. Some of the gentlemen composing it, have been kind enough to attach some importance to my humble efforts to cast some little additional light on a very interesting subject: apprehensive, therefore, that I would be looked to for an explanation of my surveys and views of the subject, I procured the ear and kind attention of the worthy and intelligent gentleman from Loudon, who had the goodness to say he would be my organ on this occasion. I beg he will have the goodness to state to the meeting my views, confident that he can do it in much less time, and in a much more satisfactory manner, than I possibly could myself.

Mr. Mercer then consented, and read from *Mr. Shriver's* notes to the following effect :

Deep Creek, at the Hooppole narrow, six and seven-eighths of a mile from the summit of the dividing ridge which it is proposed to intersect, furnishes a volume of water, at the dryest season of the year, at least fifteen by two feet, with an average velocity of the surface and bottom of the volume, of about $1\frac{1}{4}$ miles per hour. It may, therefore, be assumed, as the basis of the estimate to be made of the supply of water for the summit level of the contemplated canal, that Deep Creek will, at that point, afford 16.500 cubic feet of water every 5 minutes; at which rate, allowing for the evaporation, absorption, and leakage of the reservoir and descending locks, to amount to the loss of 1500 cubic feet during every five minutes of the day and night, there will remain a sufficient quantity of water to fill every five minutes a lock of ten feet lift, and of the length of 100 feet, and width of 15 feet; which, allowing two locks full for each boat in passing over the ridge, would afford a sufficient supply for six boats per hour, both night and day. Should this supply, aided by the judicious application of a reservoir, be found inadequate to the intended commerce of the counties which the canal is to unite, then recurrence may be had, at an expense by no means disproportioned to the importance of the object, to a feeder from the Little Youghagany, which heads in the same dividing ridge, and runs nearly parrallel to Deep Creek. This feeder would require an open cut of four miles, averaging in depth about 15 feet, and not exceeding any where 35 feet in depth, of alluvial soil, with a tunnel of $1\frac{1}{2}$ miles, united with the waters of Deep Creek in the same common reservoir. This feeder would nearly double the supply of water derived from the latter; and if both means combined, should yet fail of yielding a sufficient supply for the summit level, by a feeder of smaller dimensions, but of greater length than the preceding, the numerous rivulets which swell the current of the Great Youghagany and Cheat rivers, may be drawn to the aid of the canal.

The distance from the summit of the dividing ridge to the point proposed for the summit level, has been stated at near seven miles, from thence to Connelsville, by the meanderings of the creek and river, it is seventy miles. On near one half of this distance there are bottom lands of some breadth extending along the stream; on either one side or the other, the remaining portion is rugged, and much broken by rocks, but opposes no insuperable difficulties to the formation of a canal. Below Connelsville, the Youghagany is now navigable at high water, to its junction with the Monongahela, a distance of about 30 miles; adding this to the two preceding sums, a total of 107 miles is found, which may be assumed as the distance of the western section. From the mouth of the Youghagany to the junction of the Big Beaver with the Ohio, is 39 miles; from thence, it is believed, a canal may be made to Lake Erie, that shall not exceed 130. Another western route from the same summit, would, in a much shorter distance, reach the waters of the Monongahela, and may be as practicable. It would connect that level with Cheat River above Big Sandy Creek, by the muddy creeks of the great Youghagany and Cheat rivers, which have their sources in the same pine swamp. This shorter route has not been surveyed, but it is believed, if found practicable, that a canal, from the summit level to the mouth of Cheat river, would be little more than half the distance of the former.

[From the number of calculations, and rapid announcement to a public meeting, we cannot guarantee the specific accuracy of the whole of our statements, though we believe they will be found to be substantially correct.]

Mr. *Mercer* accompanied the reading of the statements of Mr. *Shriver* with many highly interesting and illustrative remarks, and some estimates respecting the expense of constructing a Tunnel—referring to the Bridgewater Canal, and more especially to the Tunnel of the Grand Junction Canal, which cost eight guineas per yard.

Mr. *A. Lee*.—These resolutions, able and important as they are, require deep consideration before we adopt them. It is proposed that memorials be presented to the different states, involving financial assistance. An attempt was made by the Legislature of Maryland to call the attention of Virginia, Pennsylvania, Ohio and Kentucky, to the subject under consideration. This appeal was not confined to the Potomac Canal, but extended to the subject of internal improvement throughout the Union.

In the Pennsylvania Legislature a powerful and luminous report was drawn up by a Committee, which recommended that surveys should be taken. I rejoice that the subject has taken the wide field of discussion, which has been presented to the House.

The question was then taken, whether the resolutions should be referred to a select committee, and carried, unanimously.

A committee of fifteen was moved by Mr. *Mercer*, for the consideration of the resolutions—to be appointed by the Chair.

Mr. *Colston*.—I am not prepared to say, that after examination and information, I will differ from the honorable member from Virginia. Let me again, however, remark, that the difference between a canal of 40 feet and 30 feet wide, will be as 134 to 75. In the report of the Commissioners of the State of New York, in one section of their canal, the difference was estimated as 13,000 dollars are to 7000 dollars. For the preceding calculation I am indebted to Mr. *Briggs*.

It is well worth the attention of the friends of the Potomac Canal to consider this great difference in the ratio of expense. I therefore move—

That the committee to whom the resolutions have been referred, be instructed to inquire—

1st, Into the probable difference of expense between a canal 30 feet wide, and one 40 feet.

2d, Into the advantages and disadvantages likely to result from increasing the width of the proposed canal from 30 to 40 feet, and report the result of such inquiries to this meeting.

A gentleman here observed—I think it would be better to leave the committee free to act and report according to the information of which they may be possessed ; and when they make their report, then any amendment may be suggested.

Mr. Colston.—My objection to this course is, that I am seeking for information—if the Committee should report for 40 feet, I am not prepared to vote against it. This does not tranquillize the committee. This question is not necessarily brought before the committee by the resolutions of the gentleman from Virginia. One obvious course may be taken, at all events, to agree that the width shall not be less than 30 feet. I know that the gentleman (Mr. Mercer) attaches very great importance to the proposed width of 40 feet. And I also wish as much as he can to facilitate the transport of passengers. But we certainly have not the proper information, to come to a proper conclusion on this subject.

Mr. Mercer.—This is not the time to go into an enquiry—but let me ask, if other States have canals of the proposed width, and we a canal of only 30 feet broad, with locks of 13 feet—how shall we be able to enter into competition with such superiority?—how shall we be able to obtain our portion of the Western Trade?

Mr. Colston.—The gentleman is great in scientific research ; but another gentleman, (Mr. Briggs,) also great in practical details on this subject, is of opinion, that a canal of 30 feet would answer every purpose. The only difference regards the transit of passengers—Now, the gentleman to whom I allude, has been passenger on canals, in boats, which were two feet narrower than these would be on the proposed one of 30 feet, and he found the accommodations, if not splendid, at least comfortable.—At all events, as the information can do no harm, I intend to press my motion.

Mr. Mercer.—I do not intend to oppose the motion of the worthy gentleman, but to remark that solids are to each other as the cubes of their homologous sides. An East Indiaman will require less quantity of water than a number of small craft ; and vessels one hundred feet long, and proportional breadth, will require less than ten vessels of ten feet in length, and proportionate in breadth.

Mr. I. Briggs.—I hope the gentleman, (Mr. Colston,) will consent to withdraw his motion for the instructions to the committee. I must have been very unfortunate in my expressions, when he supposes that I spoke in the decided manner which he imagines respecting the preference for a canal of thirty feet in width. I lie open to information, and would only wish the subject examined.

Mr. Colston apologized for having caused the gentleman to be misunderstood ; but his intention was to express the opinion of Mr. Briggs thus—that he did not *think* the competition in a canal of 30 feet in width would be so much in favor of New York, as the difference of price required to construct one of 40 feet in width.

General *Mason* remarked, that the most accurate calculators might sometimes be mistaken. Mr. *Mercer* had presumed the breadth of the *Langedoe* canal was 124 feet. Having had the fortune to travel in that country, and pass along that canal in my youth, I have reduced from French toises the exact dimensions. They are 64 feet on the surface, 32 at the bottom, 6 feet 4 inches in depth.

General *Mercer* proposed that the select committee consist, instead of 15, of 21 members; but some of the gentlemen presuming that such a number would rather tend to embarrass, he withdrew his proposition.

Mr. *Luffborough* wished that Mr. *Colston* would not withdraw his motion for instruction to the committee, and after some further discussion, it was carried by a majority that the resolution pass.

The Chairman then presented a letter from the Delegation appointed by the citizens of Belmont County, Ohio, which was read :

To the Chairman of the Meeting of the Friends of the Potomac Canal, to be held in the City of Washington, on the 6th of November next.

SIR : The undersigned having been, at a meeting of the citizens of Belmont county, Ohio, appointed Delegates to the meeting of the friends of the Potomac Canal, to be held in the city of Washington, on the 6th November next, are under the disagreeable necessity of saying that circumstances beyond their control, place it out of their power to give their personal attendance upon that occasion. As a further apology for non-attendance, we subjoin a few remarks intended to express the sentiments of our constituents upon the subject of your meeting.

In that section of Ohio which we have been chosen to represent, the thinking part of the population have for some time observed, with interesting anxiety, the movements of our Eastern brethren upon the subject of the Potomac and Ohio Canal. They hailed with joy the first dawn of that liberal and enlightened policy which promised a speedy accomplishment of this great national work. Aware that their interests were closely blended with the completion of this design, they saw with real satisfaction the increasing excitement of that spirit which gave assurance that energy and efficiency would accompany the undertaking. With the utmost cheerfulness, then, they expressed an unqualified approbation of the measures which have been adopted to forward this great object, and their willingness to render a constant co-operation in future. At the County Meeting, in which the undersigned were appointed Delegates, the resolutions herewith forwarded were passed without a dissenting voice.—It does not, indeed, require much penetration to perceive that, if the projected Canal is completed to Pittsburg, all that territory which is watered by the Ohio, and its tributaries, above the falls, will experience advantages which it is now impossible to estimate or conceive. It is confidently believed, by men who have examined the subject with attention, and who are well qualified to judge, that, if this Canal be extended to Lake Erie, it will enjoy a much more than equal participation of the trade of that Lake as well as of Lakes Superior, Huron, Michigan, and their several extensive dependencies.

In the limits which we have prescribed to this communication, we cannot, nor do we think it necessary to assign our reasons for believing, with our fellow citizens, that the Potomac and Ohio Canal will be the outlet of all the trade of the Ohio, above the falls, and of the Lakes west of its termination. As far as it regards ourselves, we are assured, that, as we can afford to transport flour, bacon, tobacco, &c. to the Baltimore market at an expense of from two to three dollars per hundred weight, we shall derive proportionably greater profit from the same trade when the cost of transportation will not exceed fifty cents. We anticipate, with great confidence, a considerable advance in the

value of our lands, and, in general, of all our property, and particularly of such bulky commodities as will not now bear transportation to any safe market.

The same argument which proves the proposed Canal to be fraught with benefit to us, may be applied, with little alteration, to all that country whose trade we have supposed will flow through its channel. The articles of our trade in general command as high a price in Baltimore as in New-York. Why, then, go several hundred miles further to find a market at the latter place? Why incur the danger of meeting earlier obstructions from ice? Why brave the dangers of an extended lake navigation? These are considerations which cannot fail to have their weight with the Western people, in making choice of a market. A regard to our interest, on subjects of this kind, will be the sole guide to our decision.

With our best wishes, and those of our fellow-citizens, for the promotion of the object of your meeting, we have the honor to be,

Very respectfully, yours,

BENJ. RUGGLES,
S. COLWELL.

*St. Clairsville, Belmont Co. Ohio, }
October, 27, 1823. }*

There were then presented to the meeting, the proceedings of the citizens of Preston county, in Virginia, relative to the subject under consideration.

A letter was then stated to have been received by Gen. Mason, from one of his colleagues, Mr. F. S. Key, who was prevented by sickness from attending—and another from 30 or 40 citizens at Cumberland Cove, impressing the necessity and utility of carrying the canal above Cumberland.

The Chairman then proceeded to name the Committee proposed by Mr. Mercer, and which had been unanimously carried.

The following are the names of the gentlemen appointed :

Mr. Mercer, of Virginia,
Mr. Jones, of Washington City,
Mr. Shriver, of Pennsylvania,
Mr. Colston, of Virginia,
Mr. J. Mason, of Georgetown,
Mr. Fenwick, of Maryland,
Mr. Herbert, of Maryland,
Mr. McLean, of Ohio,

Mr. Shannon, of Virginia,
Mr. Briggs, of Maryland,
Mr. Swann, of Alexandria,
Mr. Tilghman, of Maryland,
Mr. McPherson, of Maryland,
Mr. Opie, of Virginia,
Mr. Hughes, of Annapolis.

The meeting then adjourned till to-morrow, at 10 o'clock.

SATURDAY, NOVEMBER 8.

Amongst the auditors were Mr. Adams, Mr. Calhoun, Mr. Southard, and other gentlemen.

About half past twelve o'clock, Dr. Kent took the chair. On the arrival of the Select Committee with their report, the Secretary proceeded to call over the names of the members, when the following additional members appeared.

Prince George's county, Md.—William T. Wootton and Robert W. Bowie.

Charles county.—John G. Chapman.

Frederick county—Grafton Duvall.

Georgetown—Clement Smith.

The following gentlemen were then proposed as honorary members; Virgil Maxey of Annapolis, Major Roberdeau of the Engineer Department, Mr. John Shriver of Baltimore, the Hon George M'Duffie, and the Hon. George Sullivan of Boston.

Mr. *Mercer* presented a letter from the county of Monongahela, containing the resolutions of the citizens on the subject before the Convention, and appointing a delegation.

Mr. *Caldwell*.—Mr. M'Dufie is in the House, and as we are desirous of, and seeking for information, as he is well known to be friendly to the internal improvement of the country, I propose, therefore, that he take his place as an honorary member. The motion was carried unanimously, and Mr. M'Dufie took his seat accordingly.

Mr. *Mercer*, as chairman of the committee, then rose: The committee have instructed me to make a report of their proceedings whenever it is your pleasure to hear it. Since the meeting rose yesterday, they have consumed all the time in the examination of the resolutions submitted to them. Indeed, they continued as late as 12 o'clock last night, and the examination recommenced as early as sun-rise this morning. They have laboured to bring matters to such a bearing as would enable this meeting to adjourn this evening, should it so see fit. We, therefore, rely much on the Central Committee to supply all the defects which may be found in the report.

In relation to the instructions which were submitted to them respecting the breadth of the canal, they commissioned me verbally to say, that the time was not sufficient to enable them to come to any definitive conclusion. Indeed, though they had the assistance of an able engineer along with them, he had not the requisite time to draw the proper calculations for himself or the committee. I hope, therefore, that all will, with candour, make allowance for this inconvenience. One great object will be obtained, a general communication of ideas, and general understanding, on the main object before us.

Mr. *Munro* moved that the resolutions, with the amendments, be printed for the use of the members.

Mr. *Colston*.—The only objection is, that this will be a detention, and no person is disposed to remain for that purpose.

Mr. *Mercer* then proceeded to read over the resolutions with the amendments agreed on by the committee.

Mr. *Munro*.—I would not do any thing to retard the proceedings, and as I will hear the resolutions read a second time, with explanations, I will waive my motion for printing.

Mr. *Kennedy*.—I move that, as this is a great national question, while small matters have been examined and disputed, sufficient time be given for the consideration of the subject. I therefore move, that the resolutions and amendments be printed.

Mr. *Mercer*.—The great debate in the committee, which caused so much examination and discussion, was, respecting the right of the National Government and State Governments, to make lateral canals from the main canal.

Mr. *Powell*.—I apprehend that we will have sufficient time, though I wish not to hurry the meeting, to examine the resolutions and amendments, with the explanations given, and if we shall then find that we do not comprehend the subject, it will be time enough to require the printing, and the requisite delay.

Mr. *Kennedy*.—I came here to stay, if necessary, a month. This is a great national question. We found the consequences of hurry in our last session of legislature in Maryland, whilst this subject was before us. Years may be lost by our present precipitancy.

It was then remarked that time might be economized by reading over the resolutions as they were amended by the committee.

Mr. *Mercer* then read over the first resolution as amended.

Mr. *Forrest*.—I request that the reason of the change of the name of the canal be given, from Union to Chesapeake and Ohio.

Mr. *Mercer*.—Yesterday I gave my reasons for wishing the name of Union Canal to be given. But when the committee came to consider that several companies have the same name, it was thought better, to prevent confusion, to give it the proposed appellation. Though the Ohio ultimately falls into the Gulf of Mexico, yet as it is the great stream to which we propose to go, there seems a propriety in retaining its name. In adopting the term Chesapeake we wished to avoid all local feelings, and assume a broad distinctive epithet, which would not interfere with the prejudices of any section of the country.

Mr. *Forrest*.—Mere names are in themselves immaterial. I know a rose will smell as sweet by any other name, but, in the present case, it is of importance that we fix a proper and distinguishing name. There is another canal called the Chesapeake and Delaware, and there may be some possibility of confounding the two.

Mr. *Lee*.—I am exceedingly desirous to hear the opinions of the gentlemen from the west on this subject, and to ascertain what the sentiments of Ohio, Pennsylvania, and Kentucky, are with regard to the ulterior termination of the canal. The subject has taken that course, that the views of the west ought to be ascertained as far as possible. Nay, the very name is likely to give importance to the results. Before the name be changed, I should like to have some of the additional information for which I ask. I believe there is a gentleman from Kentucky fully capable of illustrating the views of the west.

Colonel *Trimble*.—I certainly felt a wish, at some period, to lay before this meeting, the interest, the deep interest, which my state takes in this Canal. Though I cannot pretend to say at what particular period she may act, nor in what precise manner, yet I well know the intense anxiety which she experiences respecting our proceedings. I feel considerable diffidence in addressing this Assembly; for, in some sense, I might, perhaps, be considered as an intruder. Though I have no wish to take up time at this particular period, yet I shall briefly endeavor to explain the views of my state. I feel how little capable I am of giving the subject that deep interest which it requires—neither can I adorn it with embellishments, but will proceed rigidly to state simple facts.

In my state we do not inquire what particular states or cities will be benefited by cutting the proposed canal. We feel satisfied that all within its range must experience its advantages. There is no doubt, that from Philadelphia to Norfolk all will experience benefits, but it does not become me, as a Western man, to select the particular spots or cities more likely to receive peculiar resources and increase from this undertaking. We believe that the time is fast coming, when the produce of the West must come to the East. I need not here expatiate on the extent of the produce and increase of the West. I need not attempt an estimate of what it will one day be. I think that Indiana, Ohio, and Kentucky, (I speak with certainty regarding Kentucky,) will soon be compelled to seek an Eastern market.

All the produce required for consumption in New Orleans will be sup-

plied by the country to the south west of us.* The Ohio is obstructed part of the year by ice, while the steam boats are almost constantly plying from St. Louis to New Orleans. If we continue trading with New Orleans we will consequently be compelled to go into a market either overstocked or dead. It can, and will, be decided by calculations, whether we shall go to an Eastern or Southern market. When we pursue the object of profit in carrying our staples to market, we shall be compelled to seek an Eastern market.

We now look to the New York canal. But that canal is scarcely able to receive all its own legitimate conveyances. To enable us to take advantage of the New York market, there must be another canal cut along side of the present one. We must, therefore, either ask of New York to cut such a canal, or else we must ask of you to cut the Potomac Canal. Look to the disadvantages under which we labour in our intercourse with New Orleans. When we go there the insurance on a cargo averages $2\frac{1}{2}$ per cent. There are, indeed, no insurance offices in our country—but, then, the expenditure on the boat averages this sum. The damage by climate is estimated by some at 20 per cent. Let it, however, be called 10—nay, reduce it even so low as 5, though 10 be the fair proportion, and see what a loss is here. Then, there is the injury by fire and water; and, though I am sorry to mention it, the frauds of commission houses: all these ravages of property—all these causes alone will compel the people of the Western country to seek an Eastern market. But there are still stronger motives in operation than these.

I have hitherto confined myself to the West—but there is a connexion between the East and West, which events are hastening to close.

We believe that the time is coming when the United States will manufacture for themselves, independently of any foreign country. And we also suppose that these manufactures will be located not far from the tide water of the head of the Potomac.

Baltimore is more advantageously placed than any other city in this respect. Take a radius of 30 miles around Baltimore, and the water power there will be found superior to any other site in the United States.

Wherever such manufacturing establishments are, we should prefer to go there, whether to Philadelphia, Baltimore, or Georgetown. We should prefer to give our heavy staples in exchange for the manufactures. Even at this time some of the heavy staples, such as tobacco and hemp, are brought across the mountains in wagons; and the fact is, that cotton has been brought all the way from Natchez over land.

I believe, that in such an intercourse, Maryland would profit more than Virginia.

But once more may I ask you to look around you—expand your minds beyond the Allegany mountains, and the trade which you may have in that direction of the country;—expand your views to other scenes, and to other times.

Remember what effect the trade of India had on the cities of the Mediterranean sea. Remember the proud pre-eminence and commercial splendor of Venice and Genoa. Venice, to secure her traffic to the east, and keep herself as the great mart of its productions, overthrew, in junction with the Crusaders, the Augustan line of emperors in the city of Constantinople.

* This country, which was formerly unsettled, and a comparative waste, is now rapidly increasing in population and in produce. Its richness gives it a command of the market of New Orleans which Ohio cannot possess. It is, in fact, intercepted by this region.

Genoa, sixty years afterwards, raised another line of monarchs to the throne of Constantinople, to secure her Indian trade through the Black Sea.

What the trade of the Indies was to these cities, the trade of the west is to you. The vast, the unbounded prospect lies before you. The rich resources of untold wealth is within your grasp. Suppose this canal should not be cut; suppose the trade should be diverted to New-York—then the result will be the same to you as it was to the cities I have mentioned, when more adventurous spirits and daring calculators carried away all their prosperity by the discovery of the passage of the Cape of Good Hope to India, by Vasco de Gama. The jealousies of Genoa and Venice proved their mutual bane: let no such jealousy impede the proposed work.

Yours is the first great agricultural meeting assembled in this country, for the purpose of constructing canals and roads. Should you depart from this without some great important result, I feel convinced the west will be disappointed, and perhaps the east. Should you be successful, whatever may be the opinions of contemporaries, the transaction will be enrolled in the page of history, in characters more durable than brass or marble.

Mr. M'Lean.—I am under the impression that the resolution of the state of Maryland, respecting internal improvements, communicated to the state of Ohio, was not acted on. The state is undoubtedly favorable to the present measure, but I doubt whether it would be disposed to give any active aid. A canal has been projected from the Ohio river to Lake Erie. Surveys have been ordered by the state, and appropriations made for that purpose.

I am not prepared to say that Ohio would adopt the present scheme, or be diverted from exclusive attention to her own. Ohio is desirous of all possible internal improvements—but I do not think she would in this case advance pecuniary aid. In the eastern section of Ohio, the disposition is highly favourable to our views—they look to the period when Erie shall be connected with the proposed canal. I have no doubt of the high advantages which would accrue, but I have not sufficient information whether they be prepared to act.

Mr. Forrest moved an amendment to the amendment, viz. to strike out the word *Chesapeake* and insert *Potomac*.

Mr. Herbert.—There have already been given reasons for the change of the name. In this case the interests of Baltimore ought never to be lost sight of. We ought, as far as possible, to remove the prejudices and ignorance existing on this subject. They cannot be strangers to the provision which has been made for a lateral canal—the grand object of which is to afford an opportunity of a canal being cut from the Great Trunk to Baltimore. We wish that the intercourse between Baltimore and the West be retained by this means. Candour obliges me to say, that it was at first proposed to carry the Canal to the Eastern Branch; but this was afterwards provided for. I deem that the prejudices of Baltimore, in a great measure, arise from ignorance. The Baltimoreans are not aware of their true interests. For the produce of the West will find its way there, and the route by water, however circuitous, will certainly be found much cheaper than that by land.—The gentleman cannot object to that part of the amended resolutions, which will enable a cross canal to reach Baltimore.

Mr. Lee said, I did not hear the motion, but am glad for the information elicited. None in the legislature of Maryland had any idea of injuring Bal-

timore. The provision enabling a cross cut has therefore been added to the Virginia bill. Baltimore stands high for her fortitude and public spirit. It is dear to every Marylander. It is the metropolis of the state in which I drew my first breath. Where I wish to live and die. It is the emporium of the commerce of the west. My object was to draw out the feelings of the west, respecting this canal, and also collateral subjects arising from the consideration of the name. What may appear of no importance here, may be deemed of great importance elsewhere. Until we have obtained the charter from Maryland, whatever assistance Virginia may give, we cannot proceed.

Mr. *McLean*.—My reason for wishing the name changed, has already been stated. One or more companies now in operation have adopted the name of *Union* Canal. I thought the name of Chesapeake and Ohio would be acceptable on both sides of the mountains, and call forth the most impressive and powerful feelings from every breast. But it is not intended to limit this canal by the mountains' base—it is intended that it shall be prolonged to a yet greater range.

Mr. *Forrest*.—Though I withdraw my proposed amendment, yet I feel more inclined to consider that I was in the right. This is a great national question, and therefore I would have preferred the word *Union* Canal.

The question as to the amendment of the committee on the first resolution was then put, and carried unanimously.

Mr. *Mercer* then read the amendment at the end of the 8th section of the second resolution.

The question on the amendment was then put, and carried unanimously. Mr. *Mercer* then read the amendment on the Virginia bill in the next clause.

Mr. *Mercer* continued: If the committee will indulge me, it was, it will be recollect, proposed that we should proceed on a graduated system. That system supposes that we shall proceed in the obvious mode recommended by the Legislatures of Virginia and Maryland; but, in the event of failure, it is proposed that the states shall advance a certain sum. As to Virginia, I have no doubt she will be able to advance her proportion, even after she shall have connected the seat of her government with one of her rivers by canal. With regard to Maryland, we ask one-third less. If you look at the Potomac we have a common interest for a certain extent, till we come to the head streams, where Virginia has undoubtedly the greatest. Whilst presenting this plan to Virginia, we suppose that there also is a plan which Maryland may occupy. The very plan of removing local prejudices, is to meet them and act on their existence. In a Virginia spirit I say we are not asking too much of Virginia.

If I am right in this view, I am then disposed to ask the proposed sum from the United States, considering it essential to the very vitals of the plan. There are in this city 5000 vacant lots belonging to the Government and people of this country; the value of these enhanced would remunerate any loan which might be granted. The results are incalculable. Suppose it possible, that we bring New-York here. Suppose it possible that another Pekin or Canton arise. With all the consequences before us, we can say to the committee of Congress, we have not asked too much.

With regard to the District cities, disfranchised as they are represented to be, it would be our wish to bear as lightly as possible on them. I know these cities contain as high-minded patriotic citizens as are to be found in the United States. We are desirous not to press them for different reasons.

I know that the town of Alexandria has derived no benefit from the change of the seat of government. Georgetown, though it received a temporary impulse from supplying the seat of government when it was first removed, has experienced the loss of this demand, when Washington was able to supply itself. And though this city has received some benefit, in consequence of the location of the seat of government, and the expenditure of offices, yet this is, perhaps, counterbalanced by the extraordinary rise in the rate of living. The burden, therefore, ought to be as light as possible, and we fix their quota at half a million. If part can be obtained by private adventurers, then let the sums be assumed as part of the proportion of the States or Corporations, who will become responsible for the payment of these sums. The Resolutions of yesterday were defective. The writer is convinced that private individuals in the State of Virginia could, alone, raise the proportion of that State.

We cannot, in fact, ask the United States, what it is their studious policy to avoid, to stand in the relation of debtor and creditor with the people of this country.

In any case, however, whatever sums may be subscribed within different states and corporations, they are empowered to assume these as part of their proportions.

Mr. *Luffbrough* enquired whether the resolutions lay open afterwards for amendments.

He was informed that the general question would afterwards be put on the whole amended resolutions, when it would be competent to suggest any alterations.

Mr. *Luffbrough* in continuation.—I think that the Congress should be empowered to lay a tax on the whole District of Columbia, and not on the corporations alone. This will be equitable, and reach the landholders of the District, who are as much interested as the corporations.

Mr. *Mercer*.—Corporations have been named in order to enable them to assume the different subscriptions and guarantee their repayment. These will be included in the general sums.

Mr. *Luffbrough*.—I suggest that government lay a tax in the District, from which they may pay the interest.

The amendment, as announced by Mr. Mercer, was then put and carried.

The different amendments were then read *seriatim*, by Mr. Mercer, and carried.

Mr. *McMann* then moved that all the resolutions be considered in the whole.

Mr. *Wallace*.—I am decidedly opposed to the consideration of the resolutions in the whole. There is one in particular to which I can never give my consent. I am decidedly hostile to any memorial to be presented to Congress, asking for pecuniary aid, because I firmly believe this is against the principles of the constitution. They hold no power to carry on internal improvements, and they cannot appropriate for that over which they have no power. These are my decided sentiments, and I do not speak them as a representative of the county from which I come only, but as one, who, in this assembly, has the interests of Virginia confided to me. I therefore move that the resolutions be put separately.

It was remarked, in reply, that the gentleman had a right to make what amendments he pleased, but that he had gone farther than the warmest ad-

herents of states' rights, in not adverting to the difference between raising and appropriating money. This, it was observed, was one connected scheme—you cannot take from it a part without destroying the whole.

Mr. *Wallace* affirmed that he would vote against the whole resolutions, if they were put in a body, rather than give his assent to the obnoxious article in question.

Mr. *Colston*.—If the gentleman will allow me—he is empowered, as a matter of right, to call for the reading of the resolutions separately.

Mr. *McMahon*.—I had a motion before the house, requiring the question to be put on the whole resolutions at once.

Chair.—The gentleman, (Mr. Wallace,) as a matter of right, can insist on the resolutions being put separately.

Mr. *Mercer* then read the first resolution.

Mr. *Kennedy* moved, that the resolutions be printed. The motion was lost.

On the filling up the blank in the first resolution respecting the number of the different members of the committee, Mr. *Mercer* said: I will take the responsibility upon myself, and move that the blank be filled up by five.

Mr. *Lee*.—It is highly improbable that we can close the discussion this evening; and though it has been before us for two days, I cannot say that I am prepared to act on it. If we proceed precipitately in this affair, it is more than likely to defeat our object. If we precipitate the financial part, and do not give it the requisite examination—we may expect it to be defeated in the Maryland legislature. This is derived from the experience of the past.

Mr. *Powell*.—As for myself, if the meeting is disposed to stop till Monday, I am heartily desirous to remain; but as it appears to be exceedingly doubtful, whether gentlemen are disposed to stay, I am anxious to put this to the test; and, in order to give the meeting an opportunity of expressing its sentiments, I now move, that when the meeting breaks up this evening, that it adjourn *sine die*.

Mr. *Colston*.—I am not yet prepared to vote for this motion of adjourning *sine die*. Several gentlemen have a wish to speak on this subject, and it is impossible to say what range of debate or diversity of opinions may ensue.—The gentleman from Virginia may attain his end by moving that the resolutions be laid on the table. I think it would be ungenerous, whilst others are anxious to be heard, to adjourn, in the manner proposed. However anxious to go home some may be, I hope that the gentlemen will be heard; and another good result will ensue; this will tend to allay those *heart-burnings* that otherwise might be felt, if gentlemen should be compelled to return home without an opportunity of delivering those speeches which they have carefully conned over, and feel so anxious to rehearse.

Mr. *Powell*.—I have been misunderstood by the gentleman. I do not wish to press the question of adjournment. I know that the eyes of the country are now upon us, and I desire to remain to the utmost length of time which may be requisite. I am prepared to vote on these resolutions, for I have made up my mind on the subject. I will, therefore, move, that these resolutions be laid on the table; and, if this should pass, I will follow the motion by another, that the resolutions be printed. This will enable us to ascertain what sort of meeting we have to expect on Monday. It would be unfortunate, indeed, were we to have to determine the grand question in a

thin meeting, on Monday. This would materially lessen the importance of our proceedings—it would detract from the authority due to such a vote.—On the contrary, if carried in a full meeting, it would add dignity and give effect to the measure. I call, therefore, on every friend to this great measure, to stand by his post.

Mr. M'Mahon.—I have been completely mistaken by the gentlemen on both sides of the house. One seemed to suppose that I came here with observations, intended to be hostile to the resolutions proposed; and the other seems to imagine that I am here for the purpose of making what is sometimes termed *long talk*. No: I came here for other and greater purposes. It was my purpose to make some remarks on the resolutions, but not to make any opposition to them. Standing, as I do here, as the representative of one of the most important counties of Maryland—from a county which holds the keys of the east and west in her hands—standing, as I do, alone, in behalf of that county, I wish its voice to be heard, and its influence for this measure, to be felt. The house will judge between me and the member who spoke of set speeches, prepared for delivering—of our relative disposition to talk—and who has most frequently claimed the attention of this Assembly. As we have openly been told, that Maryland is hostile to internal improvements—as we have been told that she is dead to the considerations—I come forward to support Maryland, and show that she will not vote as she did last session.

But I shall reserve all my breath for another tribunal—for another area—and there, I shall appear, not for *display*, as the gentleman seems to suppose, but for *effect*. I rose to say, what the west of Maryland feels on this subject—to show that she, already, in anticipation, discerns the bright prospects that are presented through this grand design.

The question was then taken to lay the resolutions on the table, and lost.

Mr. Kennedy.—I can neither make speeches long nor well, but I am desirous for farther consideration. I therefore move that this meeting adjourn till Monday.

Mr. Mercer.—I hope that it will be understood, that all the gentlemen who vote for the adjournment, will do so, with the understanding, that they will appear in their places here on Monday. As for myself, I have already stated my determination, that I am ready to wait here as long as the business may require it—to the opening of Congress, if necessary.

Mr. Page.—Brethren of Virginia, you have come here to stop two or three days: whatever be your inclinations to return home, I am persuaded you will forego them, if necessary, for the public good.

Mr. Barton said he was opposed to the adjournment.

A gentleman observed, I hope the motion for adjournment will prevail. I am opposed to some of the resolutions, which I would wish discussed. I trust that the spirit of patriotism which induced some of us to come from the extremities of Virginia and Maryland, will induce us to stop until this subject be examined.

Mr. Colston.—The sacrifice is small, to stop, compared with the consequences. As so many gentlemen wish to speak, I hope our proceedings will be in the spirit of conciliation.—Motion to adjourn, lost.

A member then observed, I do not see how it is possible to proceed. I have not yet made up my mind on this subject. I move that the resolutions be *laid on the table*. The question was taken, and decided in the negative.

It was then moved that the chair fill up the blanks, naming the different members of the committees.

A member.—The resolutions, as they originally stood, appointed four committees, and a central committee. My objection was strong to this, inasmuch as this complicated machinery tends to produce confusion, from the views of different individuals and bodies acting for the same object. This objection is in some degree removed by the reference which is made of the proceedings of the other committees to the central committee. Still, however, the plan appears to me objectionable, and I rise to submit, whether it would not be more convenient to refer all the business to one common committee, where different individuals could do the duty assigned to the different committees. I move that the alteration take place.

Mr. Mercer.—The gentleman does me injustice in supposing that I had not foreseen these difficulties. But his alterations are merely in word. Is it likely that gentlemen, even only 80 or 100 miles distant, will be disposed to go to the seats of the different legislatures, and there ascertain the feelings and views of the different members, to effect our purpose. I propose that the Virginia delegation should assist in naming the committee who make application to Virginia—that the Maryland delegation should name those who are to apply to Maryland. There is, besides, more simplicity in this, as we shall give each gentleman his own peculiar sphere of duty.

The question was then put, on the alteration of the committees, to reduce them to one, and carried in the negative. The question was then put, on that part of the amended resolution, proposed by Mr. Mercer, and carried unanimously.

Mr. Mercer then proceeded to the amendments proposed respecting the Virginia act, and the financial provisions of the resolution.

Mr. Wallace.—I have stated my reasons for opposing this part of the resolutions, and have no wish that I should stand otherwise. But I owe it to myself, to my country, to my state, to declare the reasons which induce me thus to differ from my brethren of the west, admiring, as I do, the noble public spirit which they have displayed on this occasion. I had, at one period, some intention of abandoning my place here, and retiring from the proceedings of this meeting, rather than either compromise my conscientious feelings, of hostility to the financial proposal, or stand, in all likelihood, singly, against the whole of the powerful and influential individuals amongst whom I am.

But I felt ashamed, on reflection, of such a compromise. I determined, at all hazards, whatever imputations might be thrown on me, whatever ridicule might attend the measure, boldly to announce my sentiments. It was not the warmth of youth that prompted me to this—it was not the desire of being conspicuous and singular—it was the moral dignity of my nature—it was the love of my country—it was the veneration which I entertain for the sacred principles of the constitution, which led me to this step. The conscientious conviction that I am right, determines me, though unaccustomed to parliamentary debates or public speaking, to my present procedure.

Far is it from my wish to impede the progress of this great work. No: I am desirous for the farthest possible extension of this canal. It is my wish to see the State of Pennsylvania, in unison with the other States interested, promoting the great interests of the country.

I was warned of the extraordinary predicament in which I would be placed, should I appear singly opposed to the resolution. But no consequences

can deter me—whatever be the result, I shall do my duty. I am the more induced to this, as I feel convinced, though I am called on to oppose the financial part of the first resolution, there are public spirit and patriotism in Virginia and Maryland, to effect the proposed undertaking, without incorporating, in the resolutions, principles diametrically opposite to the constitution.

Mr. Mercer.—I esteem the manly and bold manner in which the gentleman has stood forward to declare his sentiments. I myself have been in a minority as small as his can be, from conscientious principles; I, therefore, appreciate the feelings which actuate him. But, perhaps, his scruples may be removed, when I tell him that our intention is, to apply to Congress, as the Legislature of the District of Columbia, and to obtain from them the proposed grant, in that capacity.

Mr. Wallace.—I should, certainly, have been satisfied, had the resolutions specified that the appropriation asked was confined to property of the U. States within the District of Columbia. But, as this is not the case, my constitutional scruples remain the same as ever. I cannot accede to the proposition, as it now stands, with any explanation.

Mr. Forrest then moved that the resolutions be laid on the table. On the question being taken, it was decided in the negative.

Mr. Kennedy.—I really do not understand the resolutions, as they appear before us. I wish time for mature consideration. I, therefore, move, that the meeting do now adjourn.

Mr. Kilgour.—I wish to go to the House of Representatives unfettered and unshackled, and feel convinced that the clause proportioning the state of Maryland, her part of the expense as 2-11 will be a material obstruction to the facilitating the measure in the Legislature of Maryland. We have to procure an act of incorporation from that state, and if this clause accompany that proposal, I am afraid that it will endanger both. I really do not wish to go into the Legislature thus trammelled and fettered. Gentlemen ought to reflect on the jealousies and difficulties which are prevalent in several sections of that state. For I am persuaded that it will, perhaps, be found that the charter will with difficulty pass.

Mr. Mercer.—If the gentleman will have the goodness to reflect, he will discover that the obtaining of the charter is different from the application for pecuniary assistance. There is no absolute necessity to suppose that the application be simultaneous; or, indeed, that any member of the state of Maryland is pledged to the specific sum—if, on due examination, it be found improper.

Mr. Kilgour.—I cannot vote for one sum here, and, in my place, in the Legislature of Maryland, for another. Consistency will compel me to vote in a similar manner in both cases. *Mr. Kilgour*, however, did not press his motion.

The motion of *Mr. Kennedy* for adjournment was then put, and lost.

The pecuniary clauses and amendments on the Virginia bill were then put, and carried unanimously, with the exception of *Mr. Wallace*, who voted against the pecuniary clause. *Mr. Mercer* then read several of the resolutions, which passed unanimously.

Mr. Shannon.—As I am almost the only member in this Convention from the west of Virginia, I think it incumbent on me to declare what the sentiments of the people of that section of the country, and of myself, are, respecting the proposed scheme. I hope I shall receive the indulgence of the meeting, feeling the extreme diffidence of one not much accustomed to public speaking, and the trepidation incident to a young speaker.

This subject has only begun lately to be discussed in my section of the country, and there is but one opinion in favor of its utility. In Ohio the same feeling prevails, as the communication from Belmont will sufficiently testify. The reasons of this deep interest in the west are obvious, and have already been ex-

plained by the honorable gentleman from Kentucky. As he remarked, the trade to New-Orleans is fluctuating and uncertain, and must be greatly diminished. The people of the west hailed this as a new era, and had a very general idea of opening a canal to New-York. Commissioners have been appointed to survey the route from the Ohio river to Lake Erie. If Virginia, Maryland, and the District of Columbia, permit the trade of this country to go to New-York, the consequences have been told you by the gentleman from Kentucky: they will be the same as those that happened to the cities of the Mediterranean, after the discovery of the route to the Indies, in the direction of the Cape of Good Hope, by Vasco de Gama. Those cities have ever since declined—the flourishing commercial marts of Venice, Genoa, Grand Cairo, and Alexandria, are reduced to comparative insignificance. The illustration is peculiarly applicable to the present case.

If this section be able to bring the trade of the west, it must incalculably increase in power and wealth. I need not now speak of the disadvantages of the New-Orleans trade. Look at the map, and see the immense resources of the west. The valley of the Mississippi contains 1,210,000 square miles. It is impossible for New-Orleans to receive the produce of this vast tract. The valley of the Ohio contains 200,000. It was the first settled, in consequence of its proximity to the east. Formerly the people of that country carried on a greater and more profitable trade to New-Orleans; but the surplus produce of Mississippi, Arkansas, and Illinois, has forestalled them, and when they go to market in spring, they find it glutted in consequence of the proximity of those other sections.

It is not necessary to make any remarks at this time on the general importance of internal improvements. There is no object from which greater natural and physical advantages may be obtained. I will at present take a rapid glance of the history of internal improvements.

The estuaries or Deltas of the principal rivers, have been generally the places where internal improvements have chiefly begun. This will be more obvious by referring to the Nile, the Euphrates, the Rhine, and the Po. In consequence, after the dark ages, when information began to be spread, we find the people of Italy, who then excelled in general science, and especially hydraulics, paying particular attention to this subject, and, in consequence of this attention, rising above all their contemporaries in commercial wealth and greatness.

Holland was the country that next directed her efforts to internal improvements. She carried these to an unparalleled extent, under the direction, at first, I believe, of Italian engineers. Her commercial and political power, which immediately arose, is well known.

In the north of Europe, Peter, the Czar, deservedly called the Great, first commenced internal improvements. He had the genius to conceive, and the vigor to execute, the great project of uniting the Caspian, the Black, and the Baltic seas, by a canal. It was, in a great measure, completed during his life time, and finished by his successors.

In Germany, the efforts have not been so great, in consequence of the different small governments into which it is divided. In the north of Germany a very important canal was begun in 1777, passing through Holstein and Jutland, uniting the Baltic and German seas. This canal cost about 30,000 dollars a mile, and as many as 3,000 vessels have passed through it in one year.

France was the first after Italy, to flourish in arts and sciences: it was not, however, till the reign of Henry IV. that any attention was paid to canals, when that of Briare was constructed. But the most magnificent effort of this description, was the canal of Languedoc, constructed by Louis XIV. This canal, which has been alluded to in the course of the meeting, was for the purpose of preventing vessels sailing for the Mediterranean ports of France, being obliged to proceed through the Straits of Gibraltar. It unites the Bay of Biscay with the Mediterranean, and perhaps none has been so instrumental in promoting internal improvement.

Notwithstanding the rapid advances of Great Britain in the construction of can-

als, she was amongst the last of the nations of Europe to commence this work. It was not till the reign of George II. that an act was first passed, which enabled the Duke of Bridgewater to bring a canal from his coal mines to the now great manufacturing city of Manchester. Since that period her progress has been unprecedented in the march of internal improvement. Her vast national resources have in consequence been elicited; and, through the wealth accumulated by these, she has been enabled to put down the power of the most formidable government that ever appeared in Europe.

While Great Britain and other nations have made such progress, Columbia has not slumbered. The first movement of this description was the construction of the canal river, commenced in 1779, between Merrimack and Boston harbor. The canal uniting the waters of the river Hudson with those of Lake Erie was first suggested in 1803; legislative measures were first adopted in 1808, when 600 dollars were appropriated for surveys and levels; the report was given in in 1809; commissioners were appointed in 1810, and gave in their report in 1811-12. But the war with Britain, and other difficulties, ensued. The state of New York memorialized different legislatures and Congress. Many received the propositions with coldness; others wished them well, and Congress, on constitutional grounds, did not interfere. After all this, they determined to rely on their own resources. Commissioners were appointed to superintend it in 1816-17. The work has gone on most prosperously, and it is now completed, all to about thirty or forty miles in the west. This is, surely, encouragement of the most flattering description for us. I hope the meeting will excuse the time I have occupied in this examination.

Mr. *Mercer*, then, proceeded with the remaining resolutions, which were, successively, unanimously carried.

Mr. *Mercer* then moved, that the blank in the last resolution be filled with the number 13, which was unanimously carried.

Mr. *Mercer* then moved that the names be filled up by the chair.

The Chair stated that there might be some difficulty in his filling up the names, unacquainted as he was with most of the gentlemen.

Mr. *Colston* said this might be obviated by the appointment of a select committee for that purpose.

Mr. *Mercer*.—I hope this will be left with the chair. The Chairman may, at any future time, sign the appointment, and he will now have the assistance of different gentlemen from the different sections of the country. This proposition was then unanimously adopted.

The resolutions had all been now passed, when Mr. *Kennedy* observed—Before adjourning, I hope, that in the event of failure in our application to Congress, and the States, provision will be made for the re-assembling of this Convention.

Mr. *Mercer*.—This is the express duty of the central committee. It is one of the objects for which they are appointed, and were they to neglect it, it would be a downright dereliction of their duty. The object is therefore sufficiently provided for.

Mr. *Custis*.—The landed interest of this District appointed me their representative to this convention. In doing so, they could hardly have appointed one of less knowledge respecting this important plan. But in zeal and warmth I will go as far as any one in promoting its end. Perhaps these gentlemen, my constituents, expect of me a speech—they will perhaps say, that I ought not to have been a sleeping partner in the firm. This meeting, and its objects, bring to my recollection scenes long past. It brings to my remembrance a name venerable, embalmed in the fondest feelings of the patriot—a name illustrious now, and for ever more. More than one third of a century past, I heard this measure contemplated and examined within the sacred precincts of Mount Vernon. There the author of the scheme lies, with not a stone rolled on his unprotected grave, by his country. Though the government of his country has not raised a stately monument to tell his achievements in their behalf, their fame shall be more durable

than the pyramid of Cheops. But if the government are desirous of promoting this great undertaking, I will forgive them their past injustice. I will forgive them for what they have not done. This canal will be carried through classic ground, where he first earned his laurels. It will go like as the eagle in its flight, to the west, soaring with uninterrupted celerity. It was the wish of the noble heart of Washington, that we should be a united people, and no measure can tend more to effect that wish than this.

I do not rise to flatter, but the gentleman, (Mr. Mercer,) who has been our organ, our Magnus Apollo, on this occasion, deserves the warmest gratitude of every one present. I know him well, and if any one doubt his honor, his worth, and excellent disposition, I can testify of these in former days, when I knew him as well as now, when they are universally acknowledged. I would not be desirous to burden him, debilitated as he is from sickness. Notwithstanding his strength, Atlas was compelled to ask aid of Heracles, in sustaining the world.—But this gentleman has gone on with unabated and increasing exertions in our behalf. I know his feelings—but retired from the great and busy world, as I am, I know that of that gentleman is not flattery.

The landholders of the district will reap no immediate benefit from this plan; but were its location Florida, instead of where it is, were it for the general interest of the country, I would give it my warmest support. God speed the work—let it go on—it is right—it should be done. It will level the lofty summits of the Allegany mountains. Xerxes, with his bands of slaves, levelled mount Athos, and shall we freemen fear to level the Allegany ridge?

But, gentlemen, are we, *we* in the district, free. Indeed, it is hard to say what we are. We are not exactly slaves—for they are disposable property—we are not vassals, for there are no feudal lords and seignioral rights—we are a sort of non-descripts; like Richard the Third, we came into the world before the breathing time. The government, indeed, gently urges us on without whip or spur. It is better, then, to hug than gnaw the chain which surrounds us. It is in vain for us to say, that we are a part of the Republic, when we have no voice. I could not resist this opportunity of stating my feelings on this subject, and I trust the government will speedily remove these obstacles. We are either freemen, or we are not. As Green said of Andre, “he is either a spy, and ought to be hanged, or he is not, and ought to be set at liberty.” There is no place, within the territory of freemen, where we ought not to have all the privileges of freemen.

My firm belief is, that should this great work be accomplished, there will be a great and unexampled change in the face of the country. Baltimore, no doubt, holds the long *trumps*, and she will win the *trick*. Her wealth will act as the weight of gravitation, and she will absorb a great portion of the advantages.—But still there will be enough, amply enough, left for this poor District, to cause it to smile and flourish.

Should the government not support you in this undertaking, go to Holland—there you will obtain money enough; for the Dutchman will part with every thing he has for profit, unless his pipe. There the thing can be done in a moment.

My constituents will now be satisfied that I have made some sort of a speech. My best wishes attend this meeting—may the union of the waters and of the Atlantic bind a band of brothers.

Mr. *Kilgour* then, in an animated speech, proposed, that the name of the Canal should be changed to the *Washington Canal*, as a tribute to the memory of that illustrious character.

Mr. *Powell*.—I rise to say, that I hope the gentleman will be induced to withdraw his motion. This City is a proud memorial to the memory of Washington, and I am afraid the motion of the gentleman will not pass.

Mr. *Kilgour*.—I am not induced, by the observation which has been made, to withdraw my motion. We cannot raise too many monuments to the memory of him whom we venerate. We cannot be too desirous of doing justice to his re-

membrance. The allusions so eloquently and feelingly made by the honorable gentleman, (Mr. Custis,) brought the recollections of my early days before me—when I heard that name spoken of in terms which never can escape me. Had not the change been made in the name, I would have had no objection to the designation Potomac and Ohio Canal; but as this change has taken place, I am decidedly of opinion, that we ought to bestow on it the name of its projector. This City, indeed, a memorial to Washington! It is a waste rather than a City—a mixture of fields and scattered houses. It is but of yesterday that it has been known as a commercial place. But if this canal is to give increase and wealth to this city, let the name, dear to every American heart, be affixed to it.

Mr. *Forrest*.—I am afraid this proposition, if adopted, would excite the jealousy of several portions of the country, particularly the city of Baltimore. It will be presumed, at a distance, that we take the name from this city, and assign it to the canal.

Mr. *Custis* then proposed that the name should be *The Canal of Washington*.

Another gentleman proposed that it should be *The George Washington Canal*.

The motion of Mr. Kilgour for a change of name in the Canal was then put, and lost.

On motion of Mr. Herbert, thanks were unanimously voted to Mr. Mercer, Chairman of the Committee.

On motion of Mr. Powell, thanks were unanimously voted to the Chairman and Secretary of the meeting; and

The Convention adjourned, *sine die*.



The following are the Resolutions as amended by the Committee, and finally passed by an unanimous vote of the Convention:

Whereas, a connection of the Atlantic and Western waters by a canal, leading from the Seat of the General Government to the river Ohio, regarded as a local object, is one of the highest importance to the States immediately interested therein, and, considered in a national view, is of inestimable consequence to the future union, security and happiness, of the United States:

Resolved, That it is expedient to substitute for the present defective navigation of the Potomac River above tide water a navigable canal by Cumberland to the mouth of Savage Creek, at the eastern base of Alleghany, and to extend such canal, as soon thereafter as practicable, to the highest constant steam boat navigation of the Monongahela or Ohio River.

That the most eligible mode of attaining this object will be by the incorporation of a joint stock company, empowered to cut the said canal through the territory of the United States, in the District of Columbia, and of the States of Virginia, Maryland, and Pennsylvania; and, therefore, that committees be appointed, each consisting of five delegates, to prepare and present, in behalf of this Assembly, and in co-operation with the Central Committee, suitable memorials to the Congress of the United States and the Legislatures of the several States before named, requesting their concurrence in the incorporation of such a company, and their co-operation, if necessary, in the subscription of funds for the completion of the said canal.

And whereas, by an act of the General Assembly of Virginia, which passed the 22d February, 1823, entitled "An act incorporating the Potomac Canal Company," the assent of that State, so far as the limits of her territory renders it necessary, is already given to this object—and for its enlargement, to the extent required by the preceding resolution, the said act appears to furnish, with proper amendments, a sufficient basis:

Be it therefore Resolved, That it will be expedient to accept the same as a charter for the proposed Company, with the following modifications, viz:

'That, in reference to its enlarged purpose, the name be changed to the "The Chesapeake and Ohio Canal :"

That provision be made for the assent of the Government of the United States, and of the State of Pennsylvania, to the said act, and that the act be made to correspond in its details with such provision :

That the Union Canal shall be divided into two sections, Eastern and Western the former of which shall correspond in description with that of the Chesapeake and Ohio Canal by the preceding resolution, and the latter shall begin at the western extremity of the former, and terminate at the head of the steam boat navigation of the Monongahela or Ohio River :

That, while the act shall allow a reasonable time for the commencement and the completion of both sections of the canal, no other forfeiture shall be incurred, after the eastern section is finished, for a failure to begin or complete the western section, within the term prescribed, except of the right to complete such section, and of all interest therein :

That, while the consent of Pennsylvania is provided for, in the amended act, it shall not be indispensably requisite to the validity of the charter, so far as respects the authority granted by it, to extend the Union Canal to the Pennsylvania line :

That it will be both just and expedient, if not absolutely necessary, to limit the interest of the stockholders of the Potomac Company, in the stock of the Union Canal, in the mode provided by the unanimous resolution of the company of the —— day of last ——, a copy of which is hereto annexed :

That the Union Canal shall not, in width, be less at the surface than forty feet, at its bottom than 28, nor its depth of water be short of four feet, except where, from the nature of the ground, it may be necessary, for the greater security of the banks of the Canal, to reduce its breadth at its base to less than 28 feet :

That the act aforesaid be amended; by inserting, in lieu of the 18th section thereof, the following :

And be it further enacted, That the right to the waters of the river Potomac, for the purpose of any lateral canal or canals, which the State of Virginia or Maryland may authorize to be made, in connection with the said canal, is reserved to the said States respectively : That a similar right is reserved to the State of Pennsylvania, in relation to the rivers and streams within the territory of that State, the waters of which may be used in supplying the western section of the said canal : That the government of the United States shall retain the power to extend the said canal in or through the District of Columbia, on either or both sides of the river Potomac : And the State of Maryland or Virginia, shall be empowered, under the sanction given by the United States to this act, to authorize any such extension, for the purpose of meeting any canal, so extended, by any other canal, which either State may deem it expedient to conduct, in any direction whatever, through its territory.

Provided, however, That no part of the waters of the river Potomac, or of any other river or stream, required to ensure the constant, safe, and convenient use of the navigation of the canal hereby authorized to be made, shall be, by any such lateral or continued canal, diverted therefrom, to the impediment or injury of the said navigation.

That, in addition to the provision contained in the first section of the act aforesaid, there be grounded on the event of its failure to furnish adequate funds for the completion of the Eastern Section of the Canal, to be obtained through separate acts of the respective governments and corporations, of the states of Maryland and Virginia, of the United States, and the three cities of the District of Columbia, a subscription to the amount, if necessary, of 2,750,000 dollars, in the following proportions, 2-11th to be subscribed by the state of Maryland, 3-11th by the state of Virginia, 4-11th by the United States, and 2-11th by the District cities, to be divided between them, according to an equitable ratio, to be fixed by themselves. In case a part of the sum aforesaid shall be sub-

scribed by private individuals, in the mode provided by the act aforesaid, the several States and Corporations, within which such individual subscriptions are received, shall be requested to assume, as part of their aforesaid quotas, the amount of such subscription, under such security as they may deem expedient for the payment thereof, by the subscribers, to them respectively:

That the government of the United States be earnestly solicited to obtain the whole of this sum on loan, receivable in four annual instalments, upon the issue of certificates of stock, bearing an annual interest not exceeding five per cent., and irredeemable for thirty years, and to guarantee the repayment thereof on a specific pledge of the public lots in the City of Washington, of the United States Stock in the Canal, and the public faith:

That the first instalment of the loan be made payable on the 1st of March, 1825, and the last on the 1st of March, 1829:

That the interest of each state and corporation, upon its proportion of the said loan, be paid into the Treasury of the United States, according to the terms of the loan, and the principal sum at the expiration of thirty years, the period to be fixed for its redemption:

That, in the event of a refusal by the government of the United States to negotiate the said loan, each state and corporation shall provide the amount of its respective subscription, in such manner as may seem to it best:

That the maximum profit of the said company shall not exceed 15 per cent. after the entire canal shall have been completed; but if, at any time after the completion of the Eastern Section thereof, and before sufficient funds shall have been otherwise provided for the completion of the western, the tolls of the Canal shall yield a nett income to the stockholders, exceeding 10 per cent. per annum, such excess shall be applied towards the extension of the canal, until the Western Section shall have been completed: and, to give more speedy effect to this provision, the President and Directors of the Union Canal Company shall be authorized to borrow, or may negotiate, through a suitable agency, in behalf of the Company, on the credit of such excess, or on the tolls or a fixed part thereof, levied upon certain commodities passing through the said Canal, being the probable amount of such annual excess, such sums of money as may be deemed expedient, by a general meeting of the stockholders, to be applied to the extension of the Western Section of the Canal, from time to time, till the said section shall have been completed. And, if, after the completion of the entire canal, the nett dividends shall exceed 15 per cent. per annum, such excess shall be applied first, to strengthening the works of the canal, next, to the multiplication of ascending locks from the river Potomac to the level of the canal, wherever the convenience of the adjacent country may require it; next, to lining the canal throughout with such walls of stone as shall accommodate its banks to the use of steam boats, and should the nett dividends still exceed 15 per cent. excess then such shall be applied to the reduction, according to some equitable scale, of the tolls levied upon the said canal.

And be it further resolved, That a Committee of 5 Delegates be appointed to prepare, and cause to be presented, in behalf of this Assembly, a suitable memorial to the State of Ohio, soliciting the co-operation of that State in the completion of the Union Canal, and its ultimate connexion with the navigation of Lake Erie; and that, for the latter purpose, the memorial shall respectfully suggest the expediency of cutting the country, between the northermost bend of the river Ohio, and the southern shore of Lake Erie, together with the waters of Great Beaver and Cayuga Creeks, and all other intervening waters near the said route, to be carefully surveyed, with the view of ascertaining the practicability and probable cost of a Canal, which, fed by the latter, shall connect the former:

That a letter be addressed by the Chairman of the Assembly, to the Mayors of Alexandria, Georgetown, and Washington, apprising, through them, their respective Corporations, of the proceedings of this Assembly, and inviting their zealous co-operation in giving to them effect:

That another letter be addressed by the Chairman, in behalf of this Convention, to the President and directors of the Potomac Company, requesting their concurrence in the measures recommended by the preceding resolutions:

Resolved, That the committee before named be, and they are hereby, authorized and requested to use their best exertions to obtain the most favourable reception for their memorials, to ascertain and communicate to the Central Corresponding Committee, hereinafter named, such objections, if any, as are opposed to the prayers of their respective memorials, and to devise, if possible, in conjunction with the common friends of the Union and prosperity of the United States, the means of obviating all the impediments to their success.

Resolved, That, for the last mentioned purpose, the Delegates of the respective Counties and Corporations, represented in this Convention, be also regarded as corresponding Committees, and that 13 delegates be appointed a Central Committee of correspondence, to confer with the Committees before named, and to hold stated meetings in the City of Washington, for the purpose of consulting upon, and adopting in behalf of, the Chesapeake and Ohio Canal, such measures as may best seem calculated to assure its certain and speedy accomplishment.

JOSEPH KENT, Chairman.

WALTER JONES, Secretary.

The following Committees were appointed by the Chairman.

Central Committee.—Charles F. Mercer, John Mason, Walter Jones, Thomas Swann, John McLean, Wm. H. Fitzhugh, H. L. Opie, Alfred H. Powell, P. C. Pendleton, A. Fenwick, John Lee, Frisby Tilghman, Robert W. Bowie.

Committee for Virginia.—Philip C. Pendleton, H. L. Opie, J. C. Hunter, W. Ellsey, Nathan Burwell.

Committee for Pennsylvania.—James Shriver, James Shannon, John McMahon, Daniel Kincheloe, George Hagan.

Committee for Maryland.—Grafton Duvall, George Mason, of Charles county, T. Kennedy, John C. Herbert, Gen. James Forrest.

To memorialize Congress.—Walter Jones, John Mason, G. W. P. Custis, Robert I. Taylor, Samuel H. Smith.

Committee for Ohio.—John McLean, Walter Smith, Benjamin S. Forrest, Thomas Carbery, H. Peake.

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Extract from the Report of the Commissioners appointed by the states of Virginia and Maryland to survey the Potomac River, &c.

LOCK AND DAM NAVIGATION.

UPON a full view of the different plans, therefore, it cannot for a moment be doubted but that the adoption of a regular canal, out of the river, though following its ravine, will be the most useful and durable improvement, and, when the advantages and cost of each mode are relatively considered, incomparably the cheapest. The canal which, under all circumstances, the Commissioners have thought best calculated to suit the localities of Potomac river, on which our estimates are founded, is one thirty feet wide at top, twenty feet at bottom, and three feet deep; the earth to be thrown out next the river, to form a tow path, elevated two feet, or thereabouts, above the level of the water in the canal, and the track of the tow path to be ten feet wide. The level of the canal to be generally elevated above the highest floods, except when it is found necessary to take in a supply of water from the river, or to pass expensive ground along a rocky shore. Thirty feet, it is supposed, is the necessary width to admit the passage of two boats, of sufficient size to carry twenty-five tons, and to admit of a small platform on the bow of the boat, sufficient to take a horse in upon, as that in two places would be necessary, where it has been found expedient to cross the river, by means of a dam, to avoid too expensive cutting or walling. In order to ascertain the practicability and cost of this plan, the Commissioners have had the assistance of the late engineer of the state of Virginia, on whose sound practical judgment and knowledge entire reliance may be placed, more especially after the test his estimates have undergone on that of the James River where part of the canal he had designed has been completed.* And it has been there found, that contractors and undertakers in sufficient number can be obtained, from various parts of the United States, to undertake the works at the estimated cost, whenever the states think proper to authorize the cutting of a canal. The report and calculations on this plan, made from Mr. Moore's field notes by Mr. Isaac Briggs, who has been appointed his successor, as far as we proceeded before the adjournment, occasioned by the serious sickness of the greater part of the Commissioners, and of the engineer and surveyors, that is about half a mile below Goose Creek, and since to tide water, are herewith presented, and shew the utmost probable cost of such a canal for that distance; plats of the courses of the river and canal will likewise accompany the plan and calculations, and all be hereto annexed.

The Commissioners have endeavored, in their examination of the manner and costs of improving this river, to take as complete a view of the subject as circumstances would permit, so as to present to the Legislature such a representation as would enable them, without losing sight of the ulterior advantages which must grow out of a canal so located, and out of the consequent future ramifications and extension of which it will necessarily be the parent, as to be able to shew, not only the entire cost of the undertaking as far as the national road at Cumberland, but the cost of so much as may now appear within the limits of the ways and means of the two states. With this view, they directed the engineer, in the outset, to make his calculations of the surveyed route in sections, so as to shew the whole costs of each section, from one important point to another, along its whole course. This they supposed would place the commencement of this great work completely within the reach of the resources of the states; as, whether the canal commenced, for the present, at Cumberland, and descended the river where the greatest obstructions to navigation are found, as far as Williamsport; or at tide-waters, and ascended the river; every section, when completed, would add to the value of the commerce and soil of the states, and therefrom something would at once be received in tolls. The level and survey of the whole course, being once ascertained and decided, any part of the work likely to afford the greatest benefit and profit, might be completed in such a manner as to be united with the remainder without addition of cost, or any derangement of the plan. This partial cutting in sections would enable the states to keep their expenditures within reasonable bounds, and to guard

* Mr. Isaac Briggs, the present engineer, was himself a contractor for the cutting of a part of the James River canal, which has been completed, and can, experimentally, attest their correctness.

against the necessity of oppressive burthens ; at the same time that they would lay the foundation of an improvement, which, when extended across the mountains, and completed, it is no vain boast to say, will be of greater importance than any other of which the topography of the United States is susceptible.

The territorial feature of the United States, which is most important to all our relations, political, commercial, and social, is the extensive range of mountainous region which divides the rivers falling into the Mississippi from those which fall into the Atlantic ocean. It forms a wall of separation between the west and east, and the difficulties it presents have diverted the western commerce from the nearest sea-ports, and caused its general current to seek distant outlets around its southern and northern extremities. Such, however, is the wise arrangement of Providence, that, where the evils resulting from this great barrier operate most severely, that is, nearest to its centre, it has placed the remedy within our reach. Of all the rivers which reciprocally drain the lands beyond and on this side the mountains, the Ohio on the one side, and the Potomac on the other, extend their ramifications, of which any use can be made, nearest to the summit and level of the dividing ridge. Such, also, is the favorable shape of the mountains at this point, where these waters approach nearest, that its flattened surface forms extensive and luxuriant meadows, called glades. A well known operation of the laws of nature, at this elevated point, at all times many degrees cooler than the surrounding air, condenses the vapors and attracts the clouds rising on either side of the mountains, so that these elevated plains or glades, in the driest season, are copiously supplied with water, and afford rich and abundant pasture, when all the valleys below them are parched with drought. Deep Creek is a western stream falling into Youghiogany, which forms in these glades, and is situated at that point from which the Commissioners commenced their measurement, within two hundred and four feet of the summit of the dividing ridge, and can be brought, by a cut, within two miles of a branch of Savage river, called Crab-tree Run, at the junction of its branches at Swan's old mill, on this side of the mountains. Deep Creek is a copious stream, with the banks nearly perpendicular, running through the soft earth of the glades, and was, in the season when they examined it, (supposed to be the driest which has occurred within the memory of most men living,) from three to four feet deep, and from nine to twelve feet wide, with a current of about one and a half miles to the hour. There is a narrow pass* in a ridge of the glades, through which Deep Creek makes its way, where, by erecting a dam fifteen or twenty feet high, and not more than forty or fifty yards long, these meadows may be inundated, and an immense pond may be formed, equal at least to three or four miles in length, and half a mile in breadth. This reservoir, it is believed, would furnish sufficient water for locks and a canal, if carried through the dividing ridge by a tunnel, two miles long, to descend and ascend both sides of the mountains, to the Monongahela on the west, and to Savage river on the east, especially when recruited, as you descended by Big Youghiogeny, on the west side, and by Crabtree Run on the east side, respectively. The fact was not ascertained, but from the position of the sources of Little Youghiogeny, it is believed they might easily be conveyed into the same reservoir.†

Sufficient attention has not heretofore been paid to the invaluable supply of water afforded at this elevated point, by the principles of attraction and condensation. Whenever mountains present a flattened surface near, or at their summit, of any extent, sufficient to prevent the rapid waste of water which steeps occasion, they generally possess all the qualities of the best meadow land. Mr. Gallatin, in his masterly report on the roads and canals of the United States, has entirely overlooked the consequences of this operation of natural causes at this point ; and asserts, from the supposed absence of such a reservoir, the impracticability of uniting the western and eastern waters. His words are these : " The impracticability arises from the principle of lock navigation, which, in order to effect the ascent, requires a greater supply of water, in proportion to the height to be ascended, whilst the supply of waters becomes less in the same proportion." " Nor does (says he) the chain of mountains, through the whole extent, where it divides the Atlantic from the western rivers, afford a single pond, lake, or natural reservoir." In this assertion, happily for posterity, this eminent statesman is substantially mistaken ; and it is highly satisfactory to know, that this grand desideratum can be found, and that, whenever the resources of the nation are deemed sufficient to undertake the magnificent labor of perforating the great barriers of the east and west, by the short tunnel required, water will not be found wanting for canalling purposes. The want of the necessary supply of water is the main consideration ; and next,

* Called Hoophole Ridge.

† These glades, and this slowly-gliding stream, were to us surprising objects, elevated as they are, and situated among the spurs or lateral ribs of the Little Back-bone mountains, which have but a small rise above these natural meadows, and exhibited to the eye, fatigued with the severity and rudeness of the face of nature, in the tedious ascent to their elevated plains, an appearance no less delightful than unexpected, of an open level country, clothed with flowers and rich verdure, intersected with gently rising hillocks, crowned with trees, not thick or impervious to the sight, nor continued along the combs of these low hills, but detached in clumps, presenting the pleasing delusion of an improved and ornamented country.

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whether the objects to be attained are worth the expenditure required. Mr. Gallatin, in another part of his report, justly remarks, "Nor should the plan, on account of its magnitude, be thought chimerical; for the elevation, and other natural obstacles of intervening ground, or want of a sufficient supply of water, and not distance, are the only insuperable impediments in an artificial navigation."^{*}

The route for a canal from Cumberland to the Monongahela, across the mountains, and its practicability, are so intimately connected with the canal at present contemplated, that it necessarily blends itself with every view of the subject. It was for this reason that the work was commenced at Deep Creek, the better to judge of its practicability, and of the reasonableness of the consequences expected to arise from opening the canal navigation as far as now recommended. The sections across the mountains, to the states of Virginia and Maryland, would at present undoubtedly be an undertaking beyond their ordinary means. But to the states of Ohio, Kentucky, Pennsylvania, Virginia, and Maryland, who are all immediately concerned, it might not prove so, and certainly not to the United States, who are no less deeply interested in its accomplishment, upon political considerations, involving our dearest interests, of internal strength and security in war, of commerce and revenue, and the preservation of the Union. Of its practicability, it is believed, little doubt can exist, as the necessary supply of water can be found. The cost of the lockage and tunnel are the only real obstacles. When the practicability of a line of canal is ascertained, where a doubt can at all exist, as to the relative preponderance, it is the province of prudence, previous to the adoption of an expensive plan of improvement, to weigh in the scale of computation the cost and labor against the advantages expected to be derived therefrom. The cost of the section of a canal from Cumberland to Monongahela, although it will, whenever the estimate is made, be found, comparatively, much greater than on lower levels, yet will fall far short of what an inexperienced public have heretofore imagined. But, on the other hand, who will undertake to enumerate the advantage and growing profits on the trade of the only canal which is practicable between the waters of the Ohio and the Chesapeake! It is only necessary to see the unequalled location of this central route; the length of the barrier of mountains which it would sever; the boundless region of the north-western states and territories; and the extent, literally unparalleled on the globe, of the already connected inland navigation, by means of the great lakes and colossal rivers to be united with Potomac, and to consider the greater distance and expense of getting to and from other markets to our seaboard, to be entirely satisfied, that, in a country increasing in population, wealth, and the knowledge of political economy, like ours, the object to be attained, in a pecuniary point of view alone, is beyond calculation; and it affords the most ample guarantee for the interest and capital that may be invested to complete it, whatever may be the amount of such investment; and cannot fail, moreover, to be a vast and always increasing source of revenue hereafter, either to the states through which it will pass, or to the United States, which ever may undertake it.

The paramount and primordial claim of this route to public attention, is evinced by the location of the national road, and also of the seat of government; and no less so by the early date of the charter of the Potomac Company—immediately after the peace establishing our independence. This last circumstance shows it to have been the very first object of this nature which engrossed the attention of Virginia and Maryland, when we had scarcely drawn the first breath of emancipation. The manuscript calculations of our Washington, who was the father of this company, shew that, in his mind, the western trade and the improvement of the Potomac were always intimately connected. He makes the difference between the route from Detroit, on Lake Erie, by way of Fort Pitt, now Pittsburgh, and Fort Cumberland, to Alexandria, and that to New-York, in distance 496 miles!

* The following extract from Mr. Hamilton Fulton's report to the Board of Public Works of North Carolina, for the year 1821, page 22, will give you an idea of the operation of locks on canals, and of a new method of *saving the waste of water*, so precious at great elevations, by means of basins or ponds, arranged in a particular manner, where many locks are necessary to surmount considerable elevations. Mr. H. Fulton is an engineer of celebrity, induced by North-Carolina to come to this country from England. Extract:—"Although I do not approve of more locks than one being built at one place, yet the work," &c. "Double, treble, quadruple, &c. chains of locks cause much detention and waste of water, as the following examples will shew, viz. If a boat has entered the upper lock for the purpose of descending, no other boat can ascend until she has got out of the lowest lock, and vice versa. If a boat ascends immediately after one has descended, as many back falls of water must be drawn from the summit as there are locks in the chain; and if a descending boat succeeds the ascending one, the whole of the water is lost except one lock full. Thus an ascending and descending boat, in a chain of six locks, will draw off six locks full of water from the summit; while an ascending and descending boat passing through six single locks, with ponds of sufficient capacity between each, will draw off only one lock full from the summit."

or upwards of 500 miles to tide water, in favor of the former.* This grand speculation of this great man, drawing the commerce of the lakes and the northwestern territories to Alexandria, requires only the union of the waters of the Ohio and Potomac, in order to be realized; and with daily increasing experience, and a full sense of the rapid advance in the value of the great prize, it cannot fail, ere long, to be begun and completed. It is supposed that, when the nature of a voyage from the states north of the Ohio to New-Orleans, or to New-York, is contrasted with a voyage to Washington on Potomac, on the supposition of the navigation being perfected across the mountains, that, in many respects, the advantages will be so considerable in favor of Washington, that it will, in most instances, be preferred. This preference over New-Orleans will arise from the down-stream navigation of the rivers emptying into the Ohio; in the gentle current of the Ohio, compared with the rapid stream of the Mississippi, taking into view, the time, labor, and expense of returning, as well as going to market, on each route; and the effect of the climate of New-Orleans in damaging flour and bacon, and all vegetable and animal productions, and its dangerous influence on more northern constitutions; as, also, the very great difficulty and length of time it requires for ships to get up from sea to that city. Over New-York, the advantages will consist in the shorter distance, and the necessity of navigating the lakes in vessels of a different construction from those used in rivers and on canals, requiring a change of hands, navigators, and the repeated removal of cargo from the one kind to the other; while the owner of a boat will be able to go and come all the way to Washington, in most instances, with a crew of his own neighborhood: Add to these reasons the circumstance of the New-York canal being closed one month longer by ice every year, than a canal on Potomac, and the superiority of this route will be manifest.†

General Advantages of Canal or Still-water Navigation.

On a canal, such as is now proposed, a boat carrying twenty-five tons burthen, will be enabled to go up the river course with the same facility she goes down; the navigation on the canal will be always good, except when it is closed by ice. The present condition of the navigation of Potomac river has been explained, and the difference in these important respects is too glaring to require additional comment.

The usual load of a wagon on our turnpikes is stated at three tons; a boat, one man, a boy, and horse, will be equal for transportation then, to more than eight wagons, eight men, and forty horses, each travelling at the same rate of distance, in equal time. A calculation has been made, which shows that, taking into view the daily expenses, interest on outfit, and wear of the wagons, men and horses required to transport twenty-five tons, and the same expenses, interest, and wear of a boat, man, boy, and horse, required to bear the same burden on a canal, the transportation by land carriage is twenty times greater than by canal. It may well then be stated, "that the public would be great gainers were they to lay out upon the making of every mile of canal twenty times as much as they expend up-

* *Manuscript Calculation of General Washington.*

From Detroit, by the route through Fort Pitt and Fort Cumberland—

To Alexandria	-	-	-	-	607 miles
Richmond	-	-	-	-	240
Philadelphia	-	-	-	-	741
Albany	-	-	-	-	943
New-York	-	-	-	-	1103

† The comparison of the distances and difficulties now existing between New-York and Washington, on the route from Pittsburg to both, is stated as follows:

Pittsburg to Brownsville, by stream	-	-	-	-	60 miles
Brownsville to Cumberland, turnpike	-	-	-	-	72
Cumberland to Georgetown, by stream	-	-	-	-	183
					320

Pittsburg, up the Allegany, to Watersford	-	-	-	-	160
Portage to French Creek	-	-	-	-	14
French Creek to the canal, by the lake	-	-	-	-	90
Down the canal and Hudson to New-York	-	-	-	-	520

734

320

Difference in favor of Washington	-	-	-	-	464
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There is fifty-eight miles less portage to New-York; but to balance this, there is one hundred miles more up-stream, and ninety miles more lake navigation.

on a mile of turnpike road; while a mile of canal is often made at less expense than a mile of road; though commonly it has cost, on recent work in this country, something more per mile, this excess has rarely exceeded a third of the cost of a mile of turnpike, locks, culverts, &c. all considered. To show how the tolls may be increased, for the benefit of a canal company, while the freight is still lessened very considerably, an example given by the late Mr. Robert Fulton, is so strongly stated, and clearly illustrated, that we cannot do better than insert it verbatim.

" By the Lancaster turnpike, from Philadelphia to the Susquehannah, at Columbia, is 74 miles; on it, from Columbia to Philadelphia, a barrel of flour (say 200 weight) pays one dollar carriage; a broad-wheeled wagon carries thirty barrels of three tons, and pays for turnpike three dollars; thus, for each ton carried, the turnpike company receives only one dollar, the making of the road cost 444,000 dollars, or on an average of 6000 dollars a mile. I will now suppose a canal to have been cut from Philadelphia to Columbia, and with its winding, to make 100 miles, at 15,000 dollars a mile, or for the whole \$1,500,000. On such a canal, one man, one boy, and horse, would convey twenty-five tons twenty miles a day, on which the following would be the expenses: A man, one dollar; a horse, one dollar; a boy, fifty cents; tolls for repairing canal, one dollar; tolls for passing locks, &c. one dollar and fifty cents; interest on the wear of a boat, fifty cents; sum total, five dollars. This is equal to twenty cents a ton for twenty miles, and no more than one dollar a ton for 100 miles, instead of ten dollars, paid by the road; consequently for each ton carried from Columbia to Philadelphia, on the canal, the company might take a toll of six dollars instead of one, which is now got by the road, and then the flour would arrive at Philadelphia for seven dollars a ton instead of ten, which it now pays; the ton of merchandise taken from Philadelphia back to Columbia, would also pay three dollars, less than it now pays—suppose that exactly the number of tons would move on the canal that are now transported by the road. Again; let it be supposed that, at one dollar a ton, the turnpike company gains five per cent. per annum on their capital 444,000 dollars, or 22,200 dollars; consequently, 22,200 tons carried, which, at six dollars a ton to the canal company, would give 133,200 dollars a year, 3½ per cent. for the capital of 1,500,000 dollars."

In order to see the immediate effect of cutting a canal from tide water to Cumberland, it is necessary to ascertain the amount of tolls now taken, on the roads leading from and through those districts of country, which will avail themselves of the cheaper conveyance by canal; as, from Leesburg to Alexandria and Georgetown; and, from Uniontown, by Hagerstown, Boonsborough, Fredericktown, &c. to Baltimore and Georgetown. The tolls now taken on these roads, and also at the Great Falls of Potomac, may be five or six times increased in amount on the canal, and still, in consequence of the great saving in freight, as above stated and exemplified, the cost of transportation, to the owner of the produce or goods, will be greatly cheaper than it now is by land.

But, by far the greater part of the toll received on canals, generally, and likewise on this canal, will accrue on those articles which are too bulky to be transported to any considerable distance by roads, or the present navigation. The use of these necessary, although cheap articles, is now almost wholly denied to a large inland population, and the benefits of such as the interior affords, excluded from the seaboard. Among these, are fuel, the materials for building, and certain articles of food and domestic use, to wit: coals, cord-wood, and charcoal, lime, slate, marble, iron, timber, potters' earth, and tanners' bark, Indian corn, oats, barley, salt beef, pork, cider, fruit, tar, turpentine, &c. The supply of these articles, to be obtained from the banks of Potomac, and its branches, is literally inexhaustible; for which there will be a growing demand. These will constitute articles entirely new to the commerce between the interior and seaboard.

The chief articles at present exchanged by the interior with the seaboard, are flour, hemp, flax, wool, bacon, lard, whiskey, tobacco, ginseng, tallow, bees-wax, pearl ashes, live cattle, hogs, and horses.

The productions for which will be created a market altogether new, and those of the seaboard and of commerce, for which the demand will increase, in consequence of opening a canal, are, plaster of Paris, salt, fish oil, fish, all the other productions of the rivers, and every kind of foreign merchandise.

The fisheries on the rivers emptying into the Chesapeake, will be doubled in value: the coasting trade of the Chesapeake will be increased; ship building will be promoted; and, in fine, the States will feel the beneficial effects of such an improvement, in every quarter and extremity of their territory.

The article coal, which is found in such profusion, in the vicinity of the North Branch of Potomac, of a quality equal to the best Liverpool coal, in the event of the completion of the canal, may be afforded, in Georgetown, at twenty cents, making full allowance for freight and tolls, at the same rates as paid by grain, and more valuable articles: and if, on such cheap bulky articles, of the first necessity, the freight and tolls are reasonably lowered, as would be politic and reasonable, it may be furnished at sixteen cents, or less. The price may be thus ascertained: supposing a ton, or 2,210 lbs. to pay one cent freight, and one cent toll, per mile, and where the pits are eight or ten miles removed from naviga-

gation, as is the case of those near Cumberland, and the coal have to be carried that distance to the canal, in wagons, the price will be :

For wagoning one bushel 10 miles, - - - - -	6 cents.
Price, and digging one bushel, - - - - -	9
Freight, for 190 miles, - - - - -	6
Tolls, for same distance, - - - - -	6
	20

But, supposing the tolls and freight, on articles of this kind, reduced one-third, as may well be done, with a view to extend the market, the price might be stated at sixteen cents.

The price of coal has varied, of late, in the sea ports, from 25 to 37½ cents per bushel. — In Europe, the existence of abundant coal mines, is supposed, alone, sufficient inducement for cutting a canal; so many are the uses, and so immense is the consumption of this article, when it can be obtained on moderate terms. Fuel enters so largely into the price of every article manufactured, that on its cheapness depends, in a measure, the success of numerous establishments, which, at first view, seem to have no connection with it; and in all articles wrought by fire and steam, it is the principal ingredient of price in our country. Even the productions of agriculture will be increased, by a reduction of the price of coal: the whole of the wood reserved for fuel, in the rich valleys along the Potomac and its branches, would be cleared, and the land brought into cultivation. Nor would the beneficial effect here end, but would be felt throughout the borders of the Chesapeake.

Slate banks, of excellent quality for roofing, are found in still greater abundance than coal, and more of them immediately on the banks of the river; so that, if facilities for transportation were carried to the quarries which might be opened, slate for roofing, could, it is believed, be furnished as cheap as the best shingles.

The immense banks of iron ore, which are yet unopened, along the river, on account of the limited demand, would, if iron could be transported more cheaply, and the price of fuel was considerably reduced, be another resource added to the wealth of the States, and afford considerable tonnage to the canal. The lime which is now furnished in our seaports, and which principally supplies the demand for this most useful article, in architecture and agriculture, is brought from Rhode-Island: this would afford a new source of industry and profit to our citizens, now engrossed by our more active neighbors.

Such will be the creation of new sources of wealth and population; and such are some of the prominent benefits to be derived from this canal.

Within the last 60 years, England has quadrupled her wealth and political importance; and this rise in her fortunes dates with the operation of her canals commenced within that period. Holland, the Netherlands, the Valley of Lombardy, and China, are yet more striking instances of the immense increase of the power and population of territories, in consequence chiefly of canals.

When we look at the advantages of the now contemplated canal, its immediate operation on the value of the lands on the South Branch and Shenandoah, and the whole valley of Potomac, cannot fail to strike the intelligent observer. The mountainous counties of Hampshire and Allegany, will, in consequence of the value and abundance of their minerals, become the most important counties in either State, and the point on which the lever will rest, that is to advance and extend the manufactures, commerce, and agriculture of the most distant ramifications of the Chesapeake. Cumberland will become the entrepot of the merchandise commerce of the West, and, at no distant date, a thoroughfare for the greatest commerce of the Union. Baltimore, being already established, and possessing enterprise and capital, will have it in her power, for many years, if not forever, to enjoy the larger share of these new created fountains of wealth: nothing will be wanting to ensure this, but to add a short link to this great internal trade, by a canal from Bladensburg, or the head of the Eastern Branch of Potomac, to the Patapsco, at Elkridge. The distance between these two points, in a straight line, cannot exceed eighteen miles, and the route of a canal would not, probably, be more than twenty-five miles: the elevation, on this route, above the tide, is not great; and the upper part of the Patapsco, and other important streams, might, there is reason to believe, furnish the supply of water required for the light level. If this be the case, and there is little doubt of it, the cost of this work would not be great. Or, if it should accord more with the wishes and interest of the Baltimoreans, to branch the canal at a higher point on the Potomac, let provision be made for trying the practicability of a branch from the foot of the Catoctin mountain, or any point below it, to Baltimore.

PROBABLE PROFITS OF THIS CANAL.

Taking the average tonnage of the boats, which have passed through the locks, in the years 1819, 1820, and 1821, from the official document furnished by the Potomac Company, it is 11,815 tons each year; supposing ten barrels of flour equal to a ton, and computing the whole produce in flour, the amount which has descended the river each year, is a quantity of produce equal to 118,000 barrels of flour.

If such is the quantity transported on the river, in its present imperfect state of navigation, it is not extravagant to suppose that four barrels of flour are now carried by land, for one which is transported by water, and which, when the canal is completed, will seek that cheaper conveyance. This would make an additional amount of four hundred and seventy-two thousand barrels. The inhabitants of the counties of Hardy, Pendleton, and a large part of Hampshire, in Virginia, and of a considerable portion of Allegany, in Maryland, and of Bedford in Pennsylvania, are exclusively devoted to grazing; if the facilities of transportation were afforded them, by a canal, they would either slaughter their cattle at home, and send down the beef, and pork, or would turn their attention to the more profitable pursuits of agriculture. From these counties, we may, then, fairly calculate upon the addition of two hundred thousand barrels.

The establishment of a canal, will, without doubt, draw commerce from the counties of Franklin, in Pennsylvania, and Shenandoah, Rockingham, and a large part of Augusta, in Virginia, for which we may confidently add, two hundred and fifty thousand barrels. From respectable authority we learn, that, in the year 1821, four hundred thousand barrels of flour were made in the four south-western counties of Pennsylvania; all of which would seek a market by way of the national road and contemplated canal. Add to this, 160,000 barrels from the State of Ohio, and the counties of Ohio, Brooke, Preston, Harrison, &c. in Virginia, and the aggregate amount is 1,600,000 barrels: The toll, as now established on the Potomac, is 22 cents per barrel, for the longer distance, and 11 cents for the shortest. The medium may then be stated at fifteen cents. The tolls, then, upon 1,000,000, would amount to the sum of 240,000 dollars. The estimated cost of the canal, is, 1,578,954 dollars; upon which the sum of \$240,000 gives 15 per cent. per annum, profit, and an excess sufficient for annual expenses.

In this calculation, the tolls on the ascending commerce, consisting of plaster of paris, salt, fish in barrels, and foreign merchandise, required for the interior, is not enumerated. They, it is supposed, will amount to a third of the sum of the descending toll. Nor is any allowance made for the tolls on the new articles which will be added to the descending trade, viz. coal, lime, lumber, Indian corn, &c. So that if any doubt can exist, concerning the increase of tolls, in the proportions above stated, this additional source of tonnage will ensure the profit of fifteen per cent. per annum. But there is yet stronger assurance of gaining at least this amount of profit, when it is considered how much this rate of toll, assured, may be increased, and still leave the freight considerably cheaper than it now is; as is so clearly apparent from Mr. Fulton's statement, already cited.

WAYS AND MEANS.

From Cumberland to tide water is 185 miles: the cost of a canal for 182 miles of that distance, is ascertained to be \$1,578,954; for the remaining three miles, the canal at the Little Falls, when enlarged, may be used. This sum, divided between the two States, will give \$789,477, to be furnished by each. It is proposed that the money should be raised by a loan for 16 or 20 years; which could, probably, be effected at four per cent. per annum; but, for the greater certainty, let it be calculated at six per cent. As soon as the loan shall be determined upon, let books be opened, under the direction of the States, for the subscription of stock, by individuals, at such places as the Legislatures shall deem expedient; each individual to be entitled to the stock he subscribes for, upon condition of his paying annually to the State, the interest on the amount, until the annual profits of the canal shall be adequate to an extinguishment of a part of the loan, and a discharge of the annual interest;* of whatever portion of the stock that shall not be subscribed for by individuals, the states themselves shall be considered as holders. The probable nett profits of the canal, when completed, upon a moderate and sober calculation, have already been estimated at fifteen per cent. upon the whole capital required to construct it. Whenever the canal shall be finished, let these profits be exclusively appropriated to the payment of the interest, and redemption of the loan. And, even, should these profits yield only ten, instead of fifteen per cent. they would be amply sufficient to liquidate the whole debt, in less than sixteen years: so that, in order to accomplish this important object, each State would only have to pay, for five years, within which time, it is supposed the canal might be finished, the interest on 789,000 dollars, or on so much thereof as shall remain, after deducting the amount of individual subscription. But should it be deemed, by the Legislatures, inexpedient to raise so large a sum by loan, it is submitted to their wisdom, in order to test the accuracy of the above scheme, whether it would not be an object of great public utility, to make those sections of the canal, between Harper's Ferry and tide water; and whether it would be a measure forbidden by the suggestions of the strictest prudence, to borrow a sum

* So that a subscriber, say for one hundred dollars, would, in the event of the completion of the canal, within five years, as calculated, and of its yielding a per centum sufficient to discharge the interest and principal on 1,500,000 dollars, in sixteen years, have to advance, in all, only thirty dollars, and then would be entitled to hold 100 dollars in stock; and, in any event, the subscriber could never be called on for more than six dollars per annum.

sufficient for their completion. The amount required would be 560,127 dollars. But take this sum, and divide it between the States; let the foregoing plan be adopted, and then the payment of the interest for two years, within which period the canal could certainly be effected, on 230,063 dollars, or so much of that sum, as should not be taken by individual subscription, would be the only burthen to the States; or, in fact, only half the interest for the first year, as it would be only necessary to borrow money according to the annual expenditure.

It is probable that local jealousies, which are so natural to the mass of mankind, and which have, since the first dawn of civilization, been found in array and opposition to all the internal improvements of nations, and to canals, the greatest of all others, will, on this occasion, have to be combatted. These arise from the supposed effect canals have, to injure existing markets, by increasing rivals, and of lessening the value of the productions of those portions of territory, already enjoying the exclusive benefits of those markets. These jealousies, however, have, in every country where canals have been introduced, been proved by experience, to be ill-founded; for, so dependent is each part on the condition of the rest, and so intimate is the general connection in a nation, that even the favored few, so far from being injured, have been benefitted by the general prosperity. Population, commerce, and consumption, have invariably kept pace with increase of productions; and the uniform consequence has been, a general increase of power, wealth, and civilization.

MOSES T. HUNTER,
WM. T. T. MASON,
WM. NAYLOR,
ATHANS. FENWICK,
ELIE WILLIAMS.

General Summary of Expense of a Canal from Cumberland to the District.

For 182 miles of Canal, comprising, besides excavation, walling, aqueducts, and dams, 487 feet of lockage, 205 culverts, 122 farm bridges, and 20 road bridges:

For the 1st section, 54½ miles, \$ 7,711 per mile, \$ 420,262
2nd do 33½ do 8,055 do 269,844
3rd do 33½ do 8,483 do 323,721
4th do 46½ do 7,499 do 346,307
5th do 9 do 23,702 do 213,320
182 miles, \$ 8,676 per mile, \$ 1,578,954

LAW OF THE STATE OF VIRGINIA.

AN ACT incorporating the Potomac Canal Company; passed February 22, 1823.

Whereas, a navigable canal, to be supplied by the waters of the river Potomac, and of its tributary streams, from the highest point practicable on the north branch of the said river, by Cumberland, to tide water within the District of Columbia, will be a work of great profit and advantage to the people of this state, and of the neighboring states, and may ultimately tend to establish a connected navigation between the eastern and western waters, so as to extend and multiply the means and facilities of interior commerce and personal intercourse between the two great sections of the United States, and to interweave more closely all the reciprocal interests and affections that are necessary to consolidate and perpetuate the vital principles of union:

And, whereas it is represented to the General Assembly that the Potomac Company are willing and desirous that a charter shall be granted to a new company, upon the terms and conditions hereinafter expressed, and that the charter of the present company shall cease and determine:

Be it therefore enacted by the General Assembly of Virginia, That, so soon as the Legislature of the state of Maryland shall pass an act of like effect with this act, and the Potomac Company shall have signified their assent to the same by their corporate act, to be delivered to the Executive of this Commonwealth, there shall be appointed by the Board of Public Works, if in session, but, if not in session, then by the ex-officers members thereof, three commissioners on the part of this commonwealth, to act in conjunction with three other

commissioners on the part of the state of Maryland. The said commissioners shall cause books to be opened, at such times and places as they shall think fit, in this state and elsewhere, and under the management of such persons as they shall appoint, for receiving subscriptions to the capital stock of the company hereinafter incorporated, which subscriptions may either be made in person or by power of attorney; and notice shall be given, in such manner as may be deemed advisable, of the time and places of opening the books. And the said commissioners shall cause the books to be kept open at least two months, and, within twenty days after the expiration thereof, shall call a general meeting of the subscribers at the city of Washington, of which meeting notice shall be given by the commissioners aforesaid, in at least three of the newspapers printed in Virginia, Maryland, and the city of Washington, at least one month next before the said meeting; and such meeting shall, and may, be continued from day to day, until the business is finished; and the commissioners, at the time and place aforesaid, shall lay before such of the subscribers as shall meet, according to said notice, the books containing the state of the said subscriptions; and if one half of the capital sum of two millions of dollars hereinafter mentioned should, upon examination, appear not to have been subscribed, then the said commissioners, or a majority of them, at the said meeting, are empowered to take and receive subscriptions to make up the deficiency, and may continue to take and receive subscriptions to make up such deficiency, for the term of twelve months thereafter; and a just and true list of all the subscribers, with the sums subscribed by each, shall be made out and returned by the said commissioners, or a majority of them, under their hands, to the Board of Public Works of this state, and the Governor and Council of the state of Maryland, to be there recorded; and in case more than two millions of dollars shall be subscribed, then the same shall be reduced to that sum by the said commissioners, or a majority of them, by beginning at, and striking off, a share from the largest subscription or subscriptions, and continuing to strike off a share from all subscriptions under the largest, and above one share, until the same is reduced to the capital of two millions of dollars, or until a share is taken from all subscriptions above one share, and lots shall be drawn between subscribers of equal sums, to determine the numbers in which such subscribers shall stand, on a list to be made for striking off as aforesaid; and if the sum subscribed still exceeds the capital aforesaid, then to strike off by the same rule until the sum subscribed is reduced to the capital aforesaid, or all the subscription reduced to one share; and if there still be an excess, then lots to be drawn to determine the subscribers who are to be excluded, to reduce the subscriptions to the capital aforesaid; which striking off shall be certified on the list aforesaid; and the said capital stock of the company hereby incorporated, shall consist of two millions of dollars, divided into twenty thousand shares, of one hundred dollars each; of which, every person subscribing may take and subscribe for one or more whole shares; and such subscriptions may be paid and discharged either in the legal currency of the United States, or in the certificates of stock of the present Potomac company, at the par value thereof, or in the claims of the creditors of the said company certified by the acting president and directors, to have been due for principal debt on the day on which the assent of the said company shall have been signified by their corporate act, as hereinbefore provided: *Provided*, the said certificates of stock shall not exceed, in the whole amount, the sum of three hundred and eleven thousand one hundred and eleven dollars and eleven cents, nor the said claims the sum of one hundred and seventy-five thousand eight hundred dollars: *Provided also*, That the stock so paid for in certificates of the stock of the present company, and of the debts due from them, shall only be entitled to dividends as hereinafter provided, and that no payment shall be received in such certificates of stock, until the Potomac company shall have executed the conveyance prescribed by the eleventh section of this act: *And provided*, That unless one half of the said capital shall be subscribed as aforesaid, all subscriptions made in consequence of this act shall be void, and, in case one half and less than the whole capital shall be subscribed as aforesaid, then the said commissioners, or a majority of them, are hereby empowered and directed to take and receive the subscriptions which shall first be offered, in whole shares, as aforesaid, until the deficiency shall be made up; a certificate of which additional subscription shall be made under the hands of the said commissioners, or a majority of them, for the time being, and returned and recorded as aforesaid.

SEC. 2. *And be it enacted*, That whenever one half or a greater part of the said stock has been subscribed in the manner provided for by this act, then the subscribers, their heirs, and assigns, shall be, and are hereby, declared to be, incorporated into a company, by the name of the "Potomac Canal Company," and may sue and be sued, and as such shall have perpetual succession, and a common seal, and the estates, rights, and interests of the said company, shall be adjudged and taken in law to be real estate; and it shall thereupon be the duty of the said commissioners, or a majority of them, to call a general meeting of the said subscribers, at such time and place as they, or a majority of them, shall appoint, after advertising the same in such public prints as they, or a majority of them, may think proper, and such of the said subscribers as shall be present at the said meeting, or a majority of them, are hereby empowered and required to elect a president and six directors, for conducting the said undertaking, and managing all the said company's business and concerns, for and

during such time, not exceeding three years, as the said subscribers, or a majority of them, shall think fit; and in counting the votes of all general meetings of the said company, each member shall be allowed one vote for every share, as far as ten shares, and one vote for every five shares above ten, by him or her held at the time, in the said company; and any proprietor, by writing under his or her hand, executed before two witnesses, may depute any other member or proprietor to vote and act as proxy for him or her at any general meeting: *Provided also*, That no officer or director of said company shall, under any circumstances, be allowed to vote on any stock but his own, and that no individual shall ever give, as proxy, more than one hundred votes.

SEC. 3. *And be it enacted*, That the said president and directors so elected, and their successors, or a majority of them assembled, shall have full power and authority to appoint, and at their pleasure dismiss such engineer or engineers, and agent or agents, as they may deem proper and expedient, and to fix their compensation; and to agree with any person or persons, on behalf of the said company, to cut canals, and erect such locks, and perform such other works, as they shall judge necessary for forming and completing the canal herein before mentioned and described, from tide water in the District of Columbia to Cumberland, on the said river; and out of the money arising from the subscriptions and the tolls and other aids hereinafter given, to pay for the same, and to repair and keep in order the said canals, locks, and other works necessary thereto, and to defray all incidental charges; and also to appoint a treasurer, clerk, and other officers, toll-gatherers, managers and servants, as they shall judge requisite, and to agree for and settle their respective wages or allowances, and settle, pass, and sign their accounts; and also to make and establish rules of proceedings, and to transact all other business and concerns of the said company, in and during the intervals between the general meetings of the same; and they shall be allowed as a compensation for their trouble therein, such sum of money as shall by a general meeting of the stockholders be determined: *Provided always*, That the treasurer shall give bond in such penalty, and with such security, as the said president and directors, or a majority of them, shall direct, for the true and faithful discharge of the trust reposed in him, and that the allowance to be made him for his services shall not exceed three dollars in the hundred for the disbursements by him made; and that no officer in the said company shall have any vote in the settlement or passing of his own account.

SEC. 4. *And be it enacted*, That, on all subscriptions which shall not be paid as hereinbefore provided, in certificates of the stock or debts of the present Potowmack Company, there shall be paid, at the time of subscription, on each share, one dollar; and thereafter, when the company shall be formed, the stock subscribed shall be paid on such instalments and at such times, as the president and directors shall from time to time require, as the work progresses: *Provided*, That not more than one third part shall be demanded within any year from the commencement of the work, nor any payment demanded until at least sixty days public notice thereof shall have been given in such public newspapers as the said president and directors shall direct, such notices to be published in; and whenever any subscriber shall fail to pay any instalment called for by the company, it shall and may be lawful for the company, upon motion to be made in any court of record, after ten days notice, to obtain judgment against the subscriber so failing to pay; or the said company at their option may, after giving sixty days notice in such public newspaper, printed within the District of Columbia, as they may judge proper, sell the stock of such subscriber, and if the proceeds of any such sale to be made, shall exceed the sum demanded, the surplus, after paying the expenses of such sale, shall be paid to the subscriber so failing, or to his representatives, and the purchaser at such sale shall become a stockholder, and be subject to the same rules and regulations, and entitled to the same privileges, rights, and emoluments, as original subscribers under this act.

SEC. 5. And, to continue the succession of the said president and directors, and to keep up the same number, *be it enacted*, That, from time to time, upon the expiration of the said term for which the said president and directors were appointed, the proprietors of the said company, at the next general meeting, shall either continue the said president and directors, or any of them, or choose others in their stead; and until such choice be made, the president and directors for the time being shall continue in office; and in case of the death, removal, resignation, or incapacity of the president, or any of the said directors, may and shall, in manner aforesaid, elect any other person or persons to be president and directors in the room of him or them so dying, removing, or resigning, and may, at any of their general meetings, remove the president, or any of the directors, and appoint others for and during the remainder of the term, for which such person or persons were at first to have acted.

SEC. 6. *And be it enacted*, That every president and director, before he acts as such, shall take an oath or affirmation for the due execution of his office.

SEC. 7. *And be it enacted*, That the presence of stockholders, having a major part of the stock at least, shall be necessary to constitute a general meeting of the stockholders, which shall be held on the first Monday in June in every year, at such convenient town as shall, from time to time, be appointed by the said general meeting; but if a sufficient number shall not attend on that day, the stockholders who do attend, may adjourn from day to day, until the business of the company is finished; to which meeting the president and directors

APPENDIX.

shall make report, and render distinct accounts of all their proceedings; and on finding them fairly and justly stated, the stockholders then present, or a majority of them, shall give a certificate thereof, a duplicate of which shall be entered on the said company's books; and at such yearly general meetings, after leaving in the hands of the treasurer, such sums as the stockholders, or a majority of them shall judge necessary for repairs and contingent charges, an equal dividend of all the nett profits arising from the tolls hereby granted, shall be ordered and made to and among all the stockholders of the said company, in proportion to their several shares, subject to the provisions and enactments hereafter declared; and upon any emergency in the interval between the said yearly meetings, the said president, or a majority of said directors, may appoint a general meeting of the stockholders of the said company, at any convenient town, giving at least one month's previous notice, in at least three of the newspapers in Virginia, Maryland, and Washington, which meeting may be adjourned and continued.

SEC. 8. *And be it enacted*, That for and in consideration of the expenses the said stockholders will be at, not only in cutting the said canal, erecting locks, and other works, and improving and extending the navigation thereof, but in maintaining and keeping the same in repair, the said canal and works, with all their profits, shall be, and the same are hereby, vested in the said stockholders, their heirs, and assigns, forever, as tenants in common, in proportion to their respective shares, and be forever exempt from payment of any tax, imposition, or assessment, whatsoever; and that it shall and may be lawful for the said president and directors, at all times, forever hereafter, to demand and receive, at such places as shall hereafter be appointed by the president and directors, as aforesaid, tolls for the passage of vessels, boats, rafts, produce, and articles, at such rates as the president and directors may hereafter allow and establish, according to the provisions of this act.

SEC. 9. *And be it enacted*, That if the commissioners hereby directed to be appointed, shall die, resign, or refuse to act, the vacancy occasioned thereby shall be filled by the Board of Public Works; or if it be not in session, by the ex-officers, members thereof, and the person appointed to fill such vacancy, shall have all the power and authority which was vested in the commissioner, whose place he shall be appointed to supply; and when any part of the canal aforesaid, shall have been completed, according to the true intent and meaning of this act, the president and directors of the company hereby created, shall have power, and it shall be their duty, to ordain and establish a rate of tolls, to be paid upon boats, vessels, rafts, or other property, passing on the part of the canal so to be completed, and so, from time to time, as part or parts shall be completed, and until the whole shall be done; for the collection of which tolls, the president and directors of the said company shall have power to establish so many toll houses, and at their pleasure, to appoint and remove so many collectors, and at such places, as from time to time they may judge expedient; and that the said president and directors shall have full power and authority to regulate and fix a tariff of tolls, not exceeding an average rate of two cents per ton per mile.

SEC. 10. *And be it enacted*, That the president and directors shall annually declare and make such dividend of the nett profits from the tolls to be received, according to the provisions of this act, and from the other resources of the company, as they may deem advisable, after deducting therefrom the necessary current and contingent expenses, to be divided among the proprietors of the stock of the said company, in proportion to their respective shares, in manner following, that is to say: if such nett profits shall not exceed six per cent. on the amount of shares, which shall have been paid for in current money of the United States, then the whole thereof shall be divided among the holders of such shares in proportion to their respective shares. But if such nett profits, in any year, shall exceed six per cent. on such shares, then the surplus shall be divided among such stockholders as shall have paid for their shares in the certificates of the debt of the Potomac Company, until they shall have received thereout a dividend of six per cent., and if a balance yet remain, the same shall be divided among the stockholders who shall have paid for their shares in certificates of the stock of the Potomac Company, until they shall have received thereout a dividend of five per cent. on such shares; and if there yet remain a balance, the same shall be divided among the whole of the stockholders, in proportion to their respective shares.

SEC. 11. *And be it enacted*, That whenever the Potomac Company shall have declared its assent to the provisions of this act, in the manner herein before provided, it shall be lawful for the said Company to surrender its charter, and convey, in due form of law, to the Potomac Canal Company, hereby incorporated, all the property, rights, and privileges, by them owned, possessed, and enjoyed, under the same, and thereupon it shall be lawful to and for the said Company, hereby proposed to be created, to accept such surrender and transfer, and to hold, possess, use, and occupy, all the said property, rights, and privileges, in the same manner and to the same effect, as the said Potomac Company now hold, possess, and occupy, the same by law: and thereupon the charter of the said Potomac Company shall be, and the same is hereby, vacated and annulled, and all the rights and powers thereby granted to the Potomac Company, shall be vested in the Company hereby incorporated; and it shall be the duty of the said last mentioned Company, until every section of the contemplated canal shall be completed, so as to be used and enjoyed for the purposes

of navigation, to keep the corresponding part of the river in a proper state for navigation, and in good order, as the same now is; and in default thereof, they shall be, in all things, responsible, in the same manner as the Potowmack Company is now responsible.

SEC. 12. *And be it enacted*, That the said canal, and the works to be erected thereon, in virtue of this act, when completed, shall forever thereafter be esteemed and taken to be navigable, as a public highway, free for the transportation of all goods, commodities, and produce whatever, on payment of the tolls to be imposed as provided for by this act; and no other toll, or tax whatever, for the use of the said canal, and the works thereon erected, shall at any time hereafter be imposed, but by consent of said states of Virginia and Maryland.

SEC. 13. And whereas it is necessary for the making the said canal, locks, and other works, that a provision should be made for condemning a quantity of land for the purpose: *Be it enacted*, That it shall and may be lawful for the said president and directors, or a majority of them, to agree, with the owners of any land through which the said canal is intended to pass, for the purchase or use and occupation thereof, and in case of disagreement, or in case the owner thereof shall be a female-covert, under age, non compos, or out of the state, on application to a Justice of the County, in which such land shall be, the said Justice of the Peace shall issue his warrant under his hand to the Sheriff of the County, to summon a jury of twenty-four inhabitants of his county, not related to the parties, nor in any manner interested, to meet on the land to be valued, at a day to be expressed in the warrant, not less than ten, nor more than twenty days thereafter; and the sheriff, upon receiving the said warrant, shall forthwith summon the said jury, and when met, shall administer an oath or affirmation to every juryman who shall appear, being not less than twelve in number, that he will faithfully, justly, and impartially, value the land, and all damages the owner thereof shall sustain, by cutting the canal through such land, or the partial or temporary appropriation, use, or occupation of such land, according to the best of his skill and judgment, and that in such valuation, he will not spare any person for favor or affection, nor any person grieve for malice, hatred, or ill will; and the inquisition thereupon taken, shall be signed by the sheriff and some twelve or more of the jury, and returned by the sheriff to the clerk of his county, to be by him recorded; and upon every such valuation, the jury is hereby directed to describe and ascertain the bounds of the land by them valued, and the quality and duration of the interest and estate in the same required by the said company, for its use, and their valuation shall be conclusive on all persons, and shall be paid for by the said president and directors, to the owner of the land, or his legal representative; and on payment thereof, the said company shall be seized of such land, as of an absolute estate in perpetuity, or with such less quantity and duration of interest, or estate in the same, or subject to such partial or temporary appropriation, use, or occupation, as shall be required and described as aforesaid, as if conveyed by the owner to them.

SEC. 14. *And be it enacted*, That it shall be the duty of the Company, hereby incorporated, to cut, make, and construct, from Cumberland, aforesaid, to tide water, in the District of Columbia, a complete and well-finished Canal, with good and sufficient locks, and with a clear width of not less than thirty feet at the top, and twenty feet at the bottom; and sufficient to admit, at all seasons, the navigation of boats and rafts, with the depth of three feet water, at least; and that the surplus water, passing through said canal, over and above what shall be necessary and abundantly sufficient for the purposes of navigation, as aforesaid, may be, from time to time, sold and disposed of, by the said Company, for purposes of supplying such works and machinery as require a water power.

SEC. 15. *And be it enacted*, That it shall and may be lawful, for every of the said stockholders to transfer his or her shares, by deed, executed before two witnesses, and registered after the proof of the execution thereof, on the said company's books, and not otherwise, except devise, which devise shall also be exhibited to the President and Directors, and registered in the Company's books, before the devisee or devisees shall be entitled to draw any part of the profits from the said tolls; *Provided*, That no transfer whatsoever shall be made, except for one or more whole share or shares; and that no share or shares, shall in any time, be sold, conveyed, or held in trust for the use and benefit, or in the name of another, whereby the said President and Directors, or Stockholders of the said Company, or any of them, shall or may be challenged or made to answer concerning any such trust; but that every person appearing as aforesaid, to be a Stockholder, shall, as to the others of the said Company, be, to every intent, taken absolutely as such; but, as between any trustee and the person for whose benefit any trust shall be created, the common remedy may be pursued.

SEC. 16. *And be it enacted*, That, if the said capital, and the other aids already granted by this act, shall prove insufficient, it shall and may be lawful for the said Company, from time to time, to increase the said capital, by the addition of so many whole shares, not exceeding five thousand, as shall be judged necessary by the said Stockholders, or a majority of them, present at any general meeting of the said Company; and the said President and Directors, or a majority of them, are hereby empowered and required, after giving at least two months' previous notice thereof, in at least three of the newspapers of Washington, Maryland, and Virginia, to open books in the before mentioned places, for receiving and

APPENDIX.

entering such additional subscriptions, in which the Stockholders of the said Company, for the time being, shall, and are hereby, declared to have the preference of all others for the first thirty days after the said books shall be opened as aforesaid, of taking and subscribing for so many whole shares as any of them shall choose; and the said President and Directors are hereby required to observe, in all other respects, the same rules therein, as are by this act prescribed, for receiving and adjusting the first subscriptions; and, in like manner, to return, under the hands of any three or more of them, an exact list of such additional subscriptions, with the sums by them respectively subscribed, to the Governor and Council, as aforesaid, to be there recorded; and all Stockholders of such additional shares, shall, and are hereby declared to be, from thenceforward, incorporated into the said Company.

SEC. 17. *And be it enacted*, That, whenever it shall become necessary to subject the lands of any individual to the purposes provided for in this act, and their consent cannot be obtained, it shall and may be lawful for the Company to enter upon such lands, and proceed to the execution of such works as may be requisite; and that the pendency of any proceeding in any suit, in the nature of a writ of *ad quod damnum*, or any other proceedings, shall not hinder or delay the progress of the work, and it shall be the duty of every court to give precedence to controversies which may arise between the Company created by this act, and the proprietors of land sought to be condemned for public uses, and to determine them in preference to all other causes.

SEC. 18. *And be it further enacted*, That the right to the waters of the river Potomac, for the purpose of any lateral canal or canals, which the State of Virginia or Maryland may authorize to be made, shall be reserved to the said States respectively: *Provided*, so much of the waters of the said river, as to ensure the navigation of the canal hereby authorized, shall not be, thereby, diverted from the channel of the said river.

SEC. 19. *And be it further enacted*, That in case the said Company shall not begin the said work within one year after it shall have been formed, or if the work hereby required to be done, shall not be diligently prosecuted, so as that one hundred miles of the said canal, with the adequate locks, and incidental improvements, shall not be completed, (and in fit order for navigation,) in every term of five years, then all interest of the said Company in the navigation and tolls, shall cease and determine, and their charter shall be, thereafter, taken to be null and void. And if, after the completion of the said canal and locks, the President and Directors shall fail to keep the same in repair, for twelve months at any time, then their interest in the navigation and tolls shall cease, and their charter shall be forfeited.

SEC. 20. *And be it further enacted*, That it shall be the duty of the President and Directors of the Potomac Canal Company, so long as there shall be and remain any creditor of the Potomac Company, who shall not have vested his demand against the same in the stock of the Potomac Canal Company, to pay to such creditor or creditors, annually, such dividend or proportion of the nett amount of the revenues of the Potomac Company, on an average of the last five years preceding the organization of the said proposed Company, as the demand of the said creditor or creditors, at this time, may bear to the whole debt of one hundred and seventy-five thousand eight hundred dollars.

VIRGINIA: City of Richmond, to wit:

I, WILLIAM MUMFORD, Keeper of the Rolls of the Commonwealth of Virginia, do hereby certify, that the foregoing is a true copy of an act of the General Assembly of the said Commonwealth, passed on the twenty-second day of February, in the year of our Lord one thousand eight hundred and twenty-three. Given under my hand, (there being no seal of office.) this eighteenth day of March, in the same year.

WM. MUMFORD, Keeper of the Rolls.

ton, Calif.

